

File #:

62-116395

Serial Scope:

1476X, 1476X1, 1ST NR 1476X1

1ST NR 1478

1480 THRU 1ST NR 1498

1500 THRU 1508

1510 THRU 1512

1514

UNITED STATES GOVERNMENT

Memorandum

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell.
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

TO : Mr. T. W. Leavitt ^{TWV}

FROM : F. J. Cassidy ^{FC}

SUBJECT: SENSTUDY 75

DATE: 3/8/76

- 2 - Mr. D. W. Moore, Jr.
(1 - Mr. H. A. Boynton, Jr.)
- 1 - Mr. T. W. Leavitt
- 1 - Mr. F. J. Cassidy
- 1 - Mr. J. G. Deegan
- 1 - Mr. R. L. Shackelford
- 1 - Mr. S. F. Phillips
- 1 - Mr. D. Ryan

PURPOSE:

This is to report the review by Intelligence Division (INTD) representatives of the Senate Select Committee (SSC) draft report on our discontinued Counterintelligence Programs (Cointelpros) and to recommend our comments relating to the report, as furnished on 3/3/76 to the SSC staff, be furnished to the Attorney General for possible referral by him to the Committee and/or the White House.

SYNOPSIS:

On 3/2-3/76 INTD Supervisors Don K. Pettus, Arthur G. Pote and David Ryan reviewed the 133-page (double spaced) SSC draft report dated 2/24/76, entitled "Cointelpro: The FBI's Covert Action Programs against American Citizens," at SSC offices for the need for classification. Two items appearing in the report requiring classification of "Secret" or higher were identified to the SSC and will be outlined separately. Upon completion of the review of the report, the FBI representatives submitted to the SSC staff a brief statement indicating that because the report was based upon selective documentation, contained conclusions phrased in a subjective and condemnatory manner, and because the reviewers were denied access to depositions and other documentation referred to in the draft, it was felt no purpose would be served in attempting to refute or contradict conclusions by the draft's authors, and therefore no comment would be made. Further, the statement indicated a concern that inadequate consideration was given to the rights of privacy of those

Enclosures - Sent 3-25-76
62-116395

REC-115

5 MAR 29 1976
CONTINUED - OVER

1 - 62-116009 (Cointelpro)

SEE DETAILS PAGE 3

DR/DKP/AGP:lfj
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ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11-8-00 BY SP-2 [signature]

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ASSISTANT DIRECTOR
INTELLIGENCE DIV.

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LEGAL COUNSEL

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Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

mentioned directly or indirectly in the draft report. The draft, on its first page, alleges "Cointelpro is the story of decent men who did terrible things for what they saw as the greater good of the country" and later editorializes "the only conclusion that can be drawn from the cases is that the Bureau considered the First Amendment a danger to the country," and these conclusions characterize the overall tenor of the draft. Numerous selective quotes are incorporated in the report from documents and depositions, some of which are obviously out of context. Former Assistant to the Director William C. Sullivan is cited, as are former Assistant Director Charles D. Brennan and Section Chief George C. Moore of the INTD. Also, INTD supervisors Thomas J. Deakin, Russell Horner (retired) and David Ryan are cited extensively. The report concludes Cointelpros became more damaging to constitutional rights as they progressed, with the latter two programs targeting Black Nationalists and New Left, the most offensive. Selective, incomplete summaries of numerous Cointelpro actions are cited, usually without characterizing the subversive or extremist nature of the targets or detailing the true objective of the FBI. While the report indicates the FBI notified the Executive and Legislative Branches regarding the existence of the Cointelpros, it downplays this effort by indicating the notification was vague and incomplete and by citing two former Attorneys General alleged ignorance of the programs. An effort is made to discredit the review of the Department (Petersen Committee of the Criminal Division) and Civil Rights Division review of Cointelpros as incomplete.

ACTION:

That the attached letter enclosing a memorandum setting forth the comments of the Special Agents who reviewed the draft report be forwarded to the Attorney General for his information and for possible referral to the SSC and/or the White House.

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- 2 -

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APPROVED:
Assoc. Dir.....
Dep. AD Adm.....
Dep. AD Inv.....
Asst. Dir.:

Comp. Syst.....
Ext. Affairs.....
Gen. Inv.....
Ident.....
Inspection.....
Intell.....
Laboratory.....
Legal Coun.....
Plan. & Eval.....
Rec. Mgmt.....
Spec. Inv.....
Training.....

Tw/2pc

Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

DETAILS:

On 3/2-3/76, Intelligence Division Supervisors Don K. Pettus, Arthur G. Pote and David Ryan visited the SSC offices at the Dirksen Office Building to review the 133-page (double spaced) Committee draft report on discontinued FBI Cointelpros. Barbara Banoff of the Committee staff made available three copies of the SSC draft report dated 2/24/76, entitled "Cointelpro: The FBI's Covert Action Programs against American Citizens," which were to be reviewed for classification. The copies of the draft report were noted "Sensitive" and it was indicated each copy was one of 13.

Classification: Two items appearing in the draft report were deemed by the reviewers to require classification of "Secret" or higher as their disclosure could jeopardize sensitive sources and/or techniques in the foreign intelligence area. These two items were identified on a separate sheet of paper and furnished to the SSC on 3/3/76. They are being identified by separate memorandum.

Statement to SSC Staff: Upon completion of the review of the draft on 3/3/76, the FBI representatives submitted in a sealed envelope to Miss Banoff a statement reading as follows:

At the invitation of the Senate Select Committee (SSC) staff, on 3/2-3/76, FBI representatives reviewed the draft report of the Committee, dated 2/24/76, entitled, "Cointelpro: The FBI's Covert Action Programs against American Citizens." Items appearing in this report which require classification have been separately identified on this date to the SSC staff.

CONTINUED - OVER

Memorandum to Mr. T. W. Leavitt
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The SSC draft report is based upon selective documentation using out-of-context quotes from FBI correspondence and depositions in support of conclusions which are phrased in a subjective and condemnatory manner in language calculated to present the Bureau in a most unfavorable light.

As the entirety of the draft is couched in phrases intended to indicate the Bureau deliberately violated constitutional rights, and that that violation was in fact its motive; and as the FBI reviewers had no concurrent access to the depositions and other documentation referred to in the draft, it is felt no purpose would be served in attempting to refute the allegations page by page. Nor would any valid purpose be served in attempting to argue with or contradict conclusions reached by the draft's authors. Therefore, no comment will be made on the content of the draft.

Finally, it is a matter of concern that inadequate consideration was given to the rights of privacy of those mentioned directly or indirectly in the draft, whether private citizens, organizations which cooperated with the FBI, or officials.

In reference to the above statement, the FBI reviewers asked for a copy of SA Ryan's deposition which had previously been submitted to the Committee so it could be checked against the draft to verify the accuracy of statements attributed to Ryan in the draft and also to determine if they had been utilized out of context. After

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Memorandum to Mr. T. W. Leavitt
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checking with the Committee Security Officer, Miss Banoff advised the FBI reviewers would not be afforded access to any depositions or other supporting documentation of the Committee.

Editorialization by the SSC: The draft, on its first page, alleges "Cointelpro is the story of decent men who did terrible things for what they saw as the greater good of the country," without any supporting material. Later, and throughout the report, it is indicated "The techniques were adopted wholesale from wartime intelligence," apparently paraphrasing information furnished to the Committee by former Assistant to the Director William C. Sullivan who is cited in the report as describing counterintelligence as "dirty business." "The unexpressed major premise of programs (Cointelpros) was that a law enforcement agency has not only the right but the duty to maintain the existing social and political order by secretly manipulating thoughts and behavior and to immobilize those who threaten that order by seeking activity to change it or by adopting visibly different life styles." Further in the report, Cointelpro is described as "a declaration of war on the advocates of change" and also characterized as a "sophisticated vigilante operation." The draft attempts to depict the Bureau in a most unfavorable light by such statements as "The image of an agent of the U. S. Government scrawling a poisoned pen letter to somebody's wife in language usually reserved for a bathroom's walls is not a happy one." Finally, the draft alleges "The instances of attacks on speaking, teaching, writing and meeting go on and on." There follow several examples of "attacks," leading to the draft's statement that "The only conclusion that can be drawn from the cases is that the Bureau considered the First Amendment a danger to the country," a conclusion which is felt to be characteristic of the overall tenor of the language of the draft.

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Memorandum to Mr. T. W. Leavitt
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Quotes from Depositions: Among the present and former Bureau officials quoted in the draft are former Assistant to the Director William C. Sullivan, Assistant Director Charles D. Brennan, Section Chief George C. Moore, and Supervisors Thomas J. Deakin, Russell Horner and David Ryan, all of the INTD. As noted above, access to the full depositions of these officials is apparently not available even to those who furnished said depositions.

However, Ryan's deposition is quoted in the draft in several instances in a manner believed to be inaccurate or at best distorted to support SSC conclusions. It is indicated in the draft that Ryan, in his deposition, described "fellow travelers" as "those taking positions supported by the communists, such as school integration, increased minority hiring and opposition to HUAC." Although Ryan recalls defining "fellow travelers" in his deposition, the description furnished in the draft report is not recalled, is not in his wording, and is not in accordance with his views.

Also, in a footnote further in the report, a number of lurid and sexually oriented techniques are cited followed by the statement "The subject could go on, but the subject is, 'as Ryan put it,' 'degrading.'" Ryan specifically remembers his use of the word "degrading" was in reference to the insistence of SSC staff members to discuss sexually oriented techniques to the exclusion of all others during his deposition, and not to characterize Cointelpro. (Banoff was orally advised by Ryan on 3/3/76 of this distortion).

Definition of "New Left": In an obvious attempt to support its contention that the titles of the various Cointelpros and the targets were vague and ill-defined, the draft report indicates "nor could anyone at the Bureau even define 'New Left'" on page 4. This statement

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Memorandum to Mr. T. W. Leavitt
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is again reported on page 9. However, on page 40, in an apparent self-contradiction, the report states "Some agents defined 'New Left' functionally, by connection with protest. Others defined it by philosophy, particularly antiwar philosophy." The draft report ignores the fact that former Assistant Director Brennan, in his public testimony before the SSC, was asked to and did define "New Left." Additionally, Ryan in his deposition indicated to the SSC he could define "New Left" but did not believe it pertinent to his testimony. One former INTD supervisor is cited in the report as stating in his deposition he was unable to define "New Left," and that he recalled no specific definition in Bureau documents.

Emphasis on Black Nationalist and New Left Programs:

While the report indicates over half of all Cointelpro actions were conducted in the program which targeted the Communist Party, USA (CPUSA), specific actions in this area are alluded to in a vague and generalized manner. The report concludes the Cointelpros became more damaging to constitutional rights as they progressed, with the final two programs, which targeted Black Nationalists and New Left, the most offensive. Selective, incomplete summaries of numerous Cointelpro actions targeting such groups as the Black Panther Party (BPP) are cited with either no characterization of their propensity for violence or with incomplete descriptions regarding their extremist or subversive nature.

A specific example of failure to characterize an organization with a propensity for violence occurred in the summary of a Cointelpro action directed against a member of the Black Liberators. A characterization of the organization would have disclosed it as a pseudo military group composed of black militants who sought open confrontation with the establishment and emulated the BPP in its aims. In addition to the failure to characterize organizations, no effort was made

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Memorandum to Mr. T. W. Leavitt
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throughout the draft to outline the true objective of the FBI or to indicate any positive results were obtained in any instance. Also, on one occasion the report cites in some detail a suggested technique of a sensationalist nature which the draft states was "apparently" dropped, ignoring a communication furnished to the SSC reflecting that the proposal had been dropped.

Unreported Cointelpro Activities: Quoting former Assistant to the Director Sullivan, the draft report states that although the formal program was instituted in 1956, Cointelpro-type activities had been conducted by the FBI for years. It cites the originating Cointelpro document in the CPUSA as indicating an "ad hoc" Cointelpro consisting of "harassment" had existed for years primarily operated by the field offices. The formal Cointelpros are described as an effort by the FBI to expand and formalize the scope and targets.

The SSC draft comments that it had been advised of two Cointelpro actions effected after FBI Headquarters issued instructions that the programs be discontinued and indicates a comprehensive review of FBI files would undoubtedly uncover numerous others.

To support this contention, the report states the SSC discovered a third instance of Cointelpro action which occurred four months after termination of the programs. This instance involved the furnishing of information to a friendly newspaper source under the so-called "Mass Media Program" intended to discredit an attorney and his client. A footnote at this point in the report indicates that Charles Colson spent seven months in jail for similar activity involving the client.

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Memorandum to Mr. T. W. Leavitt
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An effort is made in the draft report to indicate Cointelpro actions were conducted under other titles and, as alleged by the Socialist Workers Party, are still being conducted in the form of harassment interviews, contacts with employers, etc. The draft states ". . . actions in the Rev. Martin Luther King case which cannot, by any stretch of the language, be called 'investigative' were not called Cointelpro, but were carried under the investigative caption."

Inciting Violence: The report makes an extensive effort by citing selective actions to indicate Cointelpro intended to incite violence, including murders. In what appears to be an obvious attempt to characterize the FBI as unconcerned regarding violence, former Section Chief "Moore was asked whether the fact no one was killed was the result of 'luck or plan.' He answered: 'Oh, it just happened that way, I am sure.'" Numerous examples of actions directed against the BPP, and particularly the BPP-US feud, are cited to indicate the FBI incited violence which could be attributed to actual murders. Frequent reference is made to "snitch jacket" techniques which are described as "labeling a group member an informant when he is not." Although this expression is not known to have been utilized within the Bureau, the report accredits it to former Section Chief Moore and indicates this technique could well result in violence. The report does indicate in one instance in 1971 a technique was "rejected because of the possibility it would result in a target's death." It downplays these instructions by stating two other unidentified techniques which could result in murder were approved shortly thereafter.

The draft report indicates a separate report is being prepared on disruptive efforts aimed at the Panthers and it "will examine in detail the Bureau's attempts to foment violence."

CONTINUED - OVER

Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

Notification: In a more objective treatment, the draft report sets out in some 15 pages details relating to Bureau documentation alerting members of the Executive Branch, including the Cabinet, and members of the Legislative Branch to the existence of the Cointelpros. However, it is indicated that only the CPUSA and White Hate Programs were discussed in documents notifying officials outside the Bureau, and in these instances the references to Cointelpro were generalized or vague. The report emphasized the Fiscal Year 1963 budget testimony explicitly outlines our Cointelpro efforts, but questions that such information was ever presented before the Subcommittee on Appropriations.

Department Review: The draft report criticizes the Department of Justice review of FBI Cointelpros (Petersen report) as incomplete, implying cover-up or a lack of penetrative interest. It is indicated Department attorneys working with the Petersen Committee were not allowed to work with original Bureau files/documents and were required to rely on FBI-prepared write-ups which were incomplete. Portions of legal memoranda which appeared as exhibits in the original Petersen report, and which have not previously been publicized, are cited in the SSC draft and these, too, are taken out of context or limited to support contentions of the SSC. The SSC draft differs with the conclusions of the Petersen Report in that interferences with First Amendment rights in the Cointelpros were "insubstantial" and also in the Petersen report classification of some techniques as "legitimate." It is indicated that although the Petersen report concluded infringements upon First Amendment rights constituted only a small percentage of the overall techniques, the victims in these instances would not consider the attack upon their rights as insubstantial.

CONTINUED - OVER

Memorandum to Mr. T. W. Leavitt
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62-116395

In regard to the review of the Cointelpros by representatives of the Civil Rights Division, the SSC draft indicates the decision that prosecution was not warranted was "a finding endorsed by Assistant Attorney General Stanley Pottinger after a hasty two-day review of the documents in 1975." (On 3/3/76 Ryan pointed out to Banoff that in his deposition he had indicated he had been present when representatives of the Civil Rights Division, including Pottinger, had reviewed the Cointelpro files and he considered the review had been thorough, both as relates to general and specific areas. Banoff responded by saying Pottinger, himself, had been interviewed and had indicated his review had been "hasty." It is noted Civil Rights Division attorneys reviewed the five basic Cointelpros on three separate days and spent an additional day reviewing more recently uncovered FBI Cointelpro files.)

Miscellaneous: Typical of distortions appearing in the SSC draft was the statement "As David Ryan, Chief of the Cointelpro Unit. . ." which indicates an overall responsibility of Ryan for over-all Cointelpro activity. (Banoff was advised on 3/3/76 that in his deposition he indicated he had been a Unit Chief responsible for Cointelpro during the period 1963-67, and his primary involvement was with the CPUSA effort. Banoff agreed the phrase was a distortion and commented she realized Ryan had no involvement with the Black Nationalist or New Left Programs.)

The SSC draft cites Supervisor Thomas J. Deakin as ". . . the only Bureau witness to have reservations about Cointelpro's constitutionality." Continuing, the report states "Another witness

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Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
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gave a more typical response. When asked whether anybody at any time during the course of the programs discussed their constitutionality or legal authority, he replied 'No, we never gave it a thought.' (Moore deposition)."

Information set forth above is typical of the distorted character of the SSC report. Ryan specifically recalls when he was being deposed he was questioned if consideration had been given to the constitutionality of Cointelpro techniques and he responded affirmatively. Ryan not only indicated this was a continuing consideration, but he cited examples. One example which appears in Ryan's deposition relates to Cointelpro efforts to expose and preclude clandestine Communist Party use of meeting halls. Ryan advised former Assistant to the Director Alan H. Belmont had questioned the constitutional proprieties of such action as possible violations of the First Amendment rights, and efforts had been made to preclude such infringements. It would appear the SSC staff selectively and deliberately ignores information available to it furnished by witnesses.

Notionals (fictitious organizations) are briefly alluded to in the draft report. Three examples are given. One relates to an organization whose members are all Bureau informants. The report indicates a notional chapter of the W. E. B. DuBois Club was considered but never effected. A second type organization is described as one with unsuspecting (non-informant) members, and in this example the establishment of a Klan organization under the control of a Bureau informant (the Confederate Knights of the Ku Klux Klan) is mentioned, indicating the Bureau paid the informant's expenses in setting up this 250-member group. The third example relates to an organization which is wholly fictitious for the purpose of disseminating propaganda. The Committee for Expansion of Socialist Thought in America (CESTA) is described as such a group. CESTA attacked the

CONTINUED - OVER

Memorandum to Mr. T. W. Leavitt
Re: Sensstudy 75
62-116395

CPUSA from the Marxist right for two years in approximately 1965-67. Although the SSC draft is not severely critical of CESTA, it makes no effort to point out evidence indicating the operations was successful, it being noted this information was available to it.

While at the SSC offices, staff member Walter Ricks furnished the FBI reviewers pages 17-52 of the SSC draft report relating to FBI/Internal Revenue Service (IRS) matters, and specifically to disclosure by IRS of tax information to the FBI. This report indicates approximately 200 requests were made by the FBI for tax returns between 1966 and 1974, and 130 of these were for domestic intelligence or "counterintelligence" purposes. It is indicated the 130 requests primarily related to New Left and black extremist matters. Although a large portion of this report cites the use of tax information for Cointelpro purposes, the reviewers advised Ricks they were not primarily responsible for reviewing this section of the SSC draft report.

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)

The Attorney General

March 3, 1976

Director, FBI

- 1 - Mr. T. W. Leavitt
- 2 - Mr. S. F. Phillips

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

#mde16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-8-00 BY SP2 ALM/HG

Reference is made to the SSC letter of February 19, 1976, relating to the testimony of FBI Deputy Associate Director James B. Adams before the SSC concerning the FBI's investigation of Martin Luther King, Jr., and requesting material pertaining thereto.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum responsive to the SSC request. A copy of the memorandum for your records is also enclosed.

Enclosures (2)

62-116395

REC-113

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

62-116395-1512

MAR 29 1976

2 ENCLOSURE

SFP:eks
(10)

- Assoc. Dir.
- Dep. AD Adm.
- Dep. AD Inv.
- Asst. Dir.:
- Admin.
- Comp. Syst.
- Ext. Affairs
- Files & Com.
- Gen. Inv.
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- Training
- Telephone Rm.
- Director Sec'y

SEE NOTE PAGE 2

TO BE HAND-DELIVERED BY OFFICE OF CONGRESSIONAL AFFAIRS

MAIL ROOM TELETYPE UNIT

Delivered to Dept 3-11-76 JCS AD
Delivered to Committee 3-25-76

The Attorney General

NOTE:

A copy of referenced SSC request is attached below the yellow of this letterhead memorandum (LHM). In respect to the current SSC request for a list or itemization, the following should be noted. J. G. Deegan to Mr. W. R. Wannall memorandum 12/18/75, reported the request of Mr. Shaheen of the Department for a list of the reported 25 COINTELPRO-type activities the FBI engaged in against King. He stated that the request was channeled to him from the Attorney General through Philip White of the Criminal Division. We then prepared such an informal listing and delivered a copy to Shaheen as noted in the Deegan memorandum and we noted that with little exception, all the material referred to on the list had previously been given to the SSC, including underlying documents. In connection with the current SSC request, Mr. Shaheen was consulted by Supervisor S. F. Phillips of the SENSTUDY 75 Project and he agreed that it was unnecessary to prepare any actual list or itemization but merely refer the SSC to its prior requests and our responses thereto. This has been done in the LHM now going forward.

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt
- 2 - Mr. S. F. Phillips

62-116395

March 3, 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-8-00 BY SP-2 Aml/200

**U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

Reference is made to SSC letter dated February 19, 1976, which indicated that on November 19, 1975, FBI Deputy Associate Director James B. Adams testified before the Committee that there had been "25 incidents of FBI harassment with respect to Martin Luther King, Jr." The SSC requested an itemization of the incidents to which Mr. Adams was referring. The request also noted the assumption of the SSC that all underlying materials pertaining to each of the incidents had been previously supplied to the Committee and that in the event this was not the case, the SSC desired copies of such materials.

In connection with Mr. Adams' testimony it is noted that at one point he was questioned by SSC Chairman Frank Church about FBI efforts to discredit King. In answering a specific question as to the efforts of the FBI to prevent King from having an audience with the Pope, Adams stated, "There were approximately 25 incidents, I believe, of actions taken in this regard. I think Mr. Schwarz has those available, that I would lump basically all of them into the same situation"

At the time of Mr. Adams' testimony, his reference to "approximately 25 incidents" was not based on any list or itemization of such incidents which the FBI may have compiled. Rather, he was referring in approximate numbers and general terms to the number of incidents whereby the FBI had taken actions concerning King which could be described as "discrediting"

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.: _____
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
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SFP:eks *eks*

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ENCLOSURE

GPO : 1975 O - 594-120

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

King, and concerning which the SSC had previously been furnished considerable documentation. We are therefore now referring the SSC to the following specific SSC requests and FBI replies thereto which contain the information available in FBI files, including underlying documents, concerning these incidents:

SSC request dated August 20, 1975, Part VII, Item 16c, was responded to by FBI memorandum dated September 18, 1975. This concerned the anonymous mailing of a tape and letter to King and it should be noted that this alleged incident has never been established from the official files of the FBI as an official FBI action or with official FBI approval.

SSC request dated September 29, 1975, Item 19, was responded to by FBI memorandum dated October 16, 1975. This concerned an FBI plan to encourage the replacement of King as a leader in the civil rights movement with another black individual.

SSC request dated July 8, 1975, Items 1a and b, was responded to by FBI memorandum dated September 22, 1975. This request concerned materials relating to FBI contacts and dissemination of information about King outside the Executive Branch of the Government.

SSC request dated October 15, 1975, was responded to by FBI memorandum dated November 6, 1975. Furnished to the SSC were documents which specifically used the terminology "discredit" or "neutralize" in reference to King.

1 - The Attorney General



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

FEB 20 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

Mike

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: Senate Select Committee Request Dated February 19, 1976

Attached is a letter from the Senate Select
Committee dated February 19, 1976. Please arrange
for an appropriate response.

*Let to AG, cc: DAG
3/3/76
SFP: eKs
encl (2)*

m0216
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-8-00 BY SP-2 ALM/STG

cc: Paul Daly

5 / [Signature]

62-116395-1512



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FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

February 19, 1976

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of Deputy Attorney General
U. S. Department of Justice
Washington, D.C. 20530

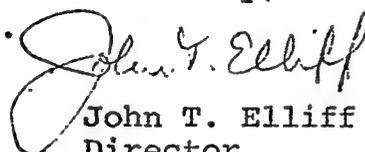
Dear Mike:

On November 19, 1975, Deputy Associate Director James Adams testified before the Committee that there have been 25 incidents of FBI harassment with respect to Martin Luther King, Jr. I would appreciate your providing us with an itemization of the incidents to which Mr. Adams was referring.

I assume that all underlying materials pertaining to each of these incidents have been previously supplied to the Committee. However, in the event that that is not the case, I would appreciate your forwarding copies of such materials as soon as possible.

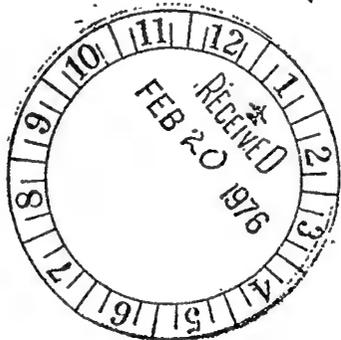
Your cooperation is appreciated.

Sincerely,



John T. Elliff
Director

Domestic Intelligence Task Force



MDE/6
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-8-00 BY SP-2 ALM/76

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: Senate Select Committee
 LTR LHM Memo Report dated 3/3/76

Caption of Document: Re SSC let 2/19/76 concerning
11/19/75 Deputy Assoc. Director Adams'
testimony before SSC. Request for itemization
of "25 incidents of FBI harassment of King."

Originating Office: FBI
Delivered by: J. Stassiner Date: 3/5/76
Received by: Michael Murphy
Title: Club

Return this receipt to the Intelligence Division, FBI

M0216
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-8-00 BY SP2 Rm t76

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

3/3/76

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 2/19/76

6. CLASSIFICATION OF INFORMATION (enter U; C, S, TS or Codeword)

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

**Operating procedures
Information handling**

#moelg
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DATE 11-8-00 BY SP-2 ALM/jts

8. SUMMARY (see reverse side before completing this item)

Information furnished explaining the "25 incidents of FBI harassment with respect to Martin Luther King, Jr.," as testified to by J. B. Adams 11/19/75.

62-116395

TREAT AS YELLOW

AJD:lhb
(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75.

S. [Signature]

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

- 1 - Mr. J. Adams
- 1 - Mr. J. A. Mintz
- 1 - Mr. T. W. Leavitt
- 1 - Mr. S. F. Phillips
- 1 - Mr. S. J. Miller

The Attorney General

March 18, 1976

Director, FBI

102-111-5-1511

REC-115

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

110216
ALL INFORMATION CONTAINED
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DATE 11-8-00 BY SP2 ALM/afg

Enclosed is the original of a memorandum, with attachment, concerning an interview of FBI Special Agent Francis T. Leonard by an SSC Staff Member. Also enclosed is a copy of the memorandum, with attachment, for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (4)

62-116395

- 1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination
- 1 - 67- (Personnel File SA Francis T. Leonard)

SJM:1hb/1hb
(10)

SECRET MATERIAL ATTACHED

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

APPROVED: *[Signature]*

Assoc. Dir. _____

Dep. AD Adm. _____

Dep. AD Inv. _____

Asst. Dir.:

Admin. _____

Comp. Syst. _____

Ext. Affairs _____

Gen. Inv. _____

Ident. _____

Inspection _____

Intell. _____

Laboratory _____

Legal Coun. _____

Plan. & Eval. _____

Rec. Mgmt. _____

Spec. Inv. _____

Training _____

TO BE HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS

MAIL ROOM

TELETYPE UNIT

Delivered to...

PVO/JDM

[Handwritten initials and signatures]

- 1 - Mr. J. B. Adams
- 1 - Mr. J. A. Mintz
- 1 - Mr. T. W. Leavitt
- 1 - Mr. S. F. Phillips
- 1 - Mr. S. J. Miller

62-116395

March 18, 1976

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11-8-00 BY SP2 WJW/AM

**U. S. SENATE SELECT COMMITTEE TO
 STUDY GOVERNMENTAL OPERATIONS WITH
 RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

**RE: INTERVIEW OF FBI SPECIAL AGENT (SA)
 FRANCIS T. LEONARD BY AN SSC STAFF
 MEMBER**

The following concerns an interview on February 27, 1976, of FBI SA Francis T. Leonard by an SSC Staff Member.

SA Leonard's report of the results of the interview is contained in a memorandum dated March 2, 1976, a copy of which is attached.

Enclosure

1 - 67- (Personnel File SA Francis T. Leonard)

SJM:1hb |hb
 (9)

SECRET MATERIAL ATTACHED

NOTE:

By Bureau teletype to SAC, Boston, 2/23/76, SA Leonard was advised that the SSC had requested his appearance for interview. He was released from existing employment agreement for the purpose of the interview, which was to concern Leonard's knowledge of the Bureau's investigation of Martin Luther King, Jr., the SCLC and Stanley David Levison.

Assoc. Dir. _____	APPROVED: _____	Comp. Syst. _____	Laboratory _____
Dep. AD Adm. _____	Assoc. Dir. _____	Ext. Affairs _____	Legal Coun. _____
Dep. AD Inv. _____	Dep. AD Adm. _____	Gen. Inv. _____	Plan. & Eval. _____
Asst. Dir.: _____	Dep. AD Inv. _____	Ident. _____	Rec. Mgmt. _____
Admin. _____	Asst. Dir.: _____	Inspection _____	Spec. Inv. _____
Comp. Syst. _____	Admin. _____	Intell. _____	Training _____
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Spec. Inv. _____			
Training _____			
Telephone Rm. _____			
Director Sec'y _____			

MAIL ROOM TELETYPE UNIT

P40/50

S

62-116395-1511

MAR 18 9 12 AM '76

RECEIVED
CORRESPONDENCE REVIEW
FBI

TO: SAC, NEW YORK
FROM: SAC, NEW YORK
SUBJECT: [Illegible]

[Illegible]

[Illegible]

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DATE 11/19/01 BY 60322 JAL/STP

FBI

Date: 3/2/76

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Precedence)

#mDE16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/00 BY SP-2 ALM/716

TO: DIRECTOR, FBI (Attention: INTD - S. F. PHILLIPS)

FROM: SAC, BOSTON (66-4117)

SUBJECT: SENSTUDY 75

ReButel to Boston 12/23/75 informing that the Senate Select Committee (SSC) had requested SA FRANCIS T. LEONARD be made available for interview by that committee.

Enclosed herewith is the original and eight copies of an LHM reflecting SA LEONARD's interview by SSC Staff Member MICHAEL EPSTEIN in Washington, D. C., on 2/27/76.

- 2 - Bureau (Encs. 9)
- 1 - Boston
- FTL/bbr
- (3)

REC-115

62-11637-1511

14 MAR 29 1976

5-11
DOCK

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

RE to ES (Circled)
STW:lh6
3/1/76

TO: SAC:

- Albany
- Albuquerque
- Alexandria
- Anchorage
- Atlanta
- Baltimore
- Birmingham
- Boston
- Buffalo
- Butte
- Charlotte
- Chicago
- Cincinnati
- Cleveland
- Columbia
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- Little Rock
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- Memphis
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- Norfolk

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- Portland
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- Sacramento
- St. Louis
- Salt Lake City
- San Antonio
- San Diego
- San Francisco
- San Juan
- Savannah
- Seattle
- Springfield
- Tampa
- Washington Field
- Quantico

TO LEGAT:

- Beirut
- Bern
- Bonn
- Brasilia
- Buenos Aires
- Caracas
- Hong Kong
- London
- Madrid
- Manila
- Mexico City
- Ottawa
- Paris
- Rome
- Singapore
- Tel Aviv
- Tokyo

RE: **SENSTUDY 75**

Date 3/18/76

ReBSairtel 3/2/76, captioned as above.

- Retention For appropriate
- For information optional action Surep, by _____
- The enclosed is for your information. If used in a future report, conceal all sources, paraphrase contents.
- Enclosed are corrected pages from report of SA _____ dated _____

Remarks:

LHM enclosed with referenced airtel has been classified "~~Secret~~," Category 2, Classifying Officer 2047, Indefinite. Boston should classify its copy accordingly.

ALL INFORMATION ^{8m0216} CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-8-00 BY SP2 ALM/MLG

file
518

Enc.
Bufile **62-116395**
Urfile **66-4117**



~~SECRET~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Boston, Massachusetts

March 2, 1976

#MDR/16
DECLASSIFIED BY SP2 ALM/ATG
ON 11-8-00

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

INTERVIEW OF SPECIAL AGENT FRANCIS T. LEONARD BY SSC STAFF
MEMBER MICHAEL EPSTEIN

On Friday, February 27, 1976, at approximately 10:30 A. M., Special Agent Francis T. Leonard, who is currently assigned to the Boston Division, met with SSC Staff Member Michael Epstein in a room on the sixth floor of the Old Senate Office Building, Washington, D. C.

Special Agent Leonard was not provided with a warning as to his rights nor was he placed under oath at the outset of the interview.

The only two occupants of the room at the outset of this interview were Leonard and Epstein. Epstein ascertained from Leonard that he had entered on duty as a Special Agent with the FBI on August 6, 1951, and had been assigned to the New York Office from April 1955 to May 1967. Leonard stated that during the period from 1955 through approximately 1964, his work entailed investigations regarding the internal security of the United States.

Epstein inquired as to what role Leonard played in the investigation of one Stanley David Levison. Leonard replied that he was the case Agent of the Stanley David Levison investigation during the late 1950s and early 1960s although he could not be sure of the exact years because of the extensive period of time that has elapsed since he was involved in that investigation. Epstein queried Leonard as to his recollection of how he became the case Agent in the Levison case, and Leonard replied that to the best of his recollection the Levison case was reopened and assigned to him based on new information that Levison was a secret member of the Communist Party of the United States (CPUSA).

This document contains neither
recommendations nor conclusions
of the FBI. It is the property
of the FBI and is loaned to your
agency; it and its contents are
not to be distributed outside
your agency.

~~SECRET~~

Classified by 20478
Exempt from GDS, Category 2
Date of Declassification Indefinite

ENCLOSURE

62-116575-1511

~~SECRET~~

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

INTERVIEW OF SPECIAL AGENT FRANCIS T. LEONARD BY SSC STAFF
MEMBER MICHAEL EPSTEIN

At this point Epstein stated wasn't it in fact Levison's association with Martin Luther King, Jr., that led to the reopening of the case and Leonard replied that he was positive that was not the reason for the reopening of the case but rather information regarding Levison's activities with the CPUSA. Epstein inquired as to specifically what these activities of Levison's were and Leonard refused to reveal them because he felt that by so doing, he may jeopardize the security of a highly reliable source of the Bureau that had furnished the information regarding Levison. Leonard further explained that he felt this would be in violation of the agreement between the Bureau and the Committee if he should reveal this information.

Epstein then showed Special Agent Leonard a memorandum bearing his name to the SAC, New York, dated August 22, 1962, entitled Stanley David Levison and asked Leonard if he recalled the memo. Special Agent Leonard stated that he did not recall the memo but that undoubtedly it was his memo and appeared to be a characterization of Stanley David Levison. Epstein then inquired as to what the procedure was for formulating such a characterization and it was explained to him by Special Agent Leonard to the best of his knowledge. At this point Epstein stated that he would prefer to continue the interview with the presence of a court stenographer and asked if Special Agent Leonard had any objection to that. Special Agent Leonard replied that he had no objection to a court stenographer being present. At this point the interview was terminated at approximately 11:05 A. M.

The interview was resumed at 11:25 A. M. in the same room with the court stenographer present and all the information discussed in the first interview was repeated for the benefit of the court stenographer up to and including the discussion regarding the characterization of Stanley David Levison dated August 22, 1962. At that point in the second interview, Epstein held up a report on Martin Luther King, Jr., written by Special Agent John Elliott of the New York Office. Epstein asked Leonard if he knew Elliott and he replied that he did. He did not make the report available to Leonard but Epstein then

~~SECRET~~

-2-

~~SECRET~~

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

INTERVIEW OF SPECIAL AGENT FRANCIS T. LEONARD BY SSC STAFF
MEMBER MICHAEL EPSTEIN

asked Leonard if he was aware of any relationship between Stanley David Levison and Martin Luther King prior to Leonard being assigned the case Agent of the Levison investigation. Leonard replied that he was not. At this point Epstein referred to page 17 of Elliott's report and gave the following four dates: December 26, 1956; September 24, 1958; January 18, 1959; and May 6, 1960; on which it was reported by sources of the FBI that there was a relationship between Stanley David Levison and Martin Luther King, Jr.

At this point Epstein produced another memorandum written by Special Agent Leonard to the SAC, New York, dated July 26, 1963, which was another characterization of Stanley David Levison stating that he was a secret member of the CPUSA. Epstein asked Leonard if he recalled writing such a memorandum and he replied that although he did not recall it, obviously it was a memorandum written by him at that time. Again Epstein and Leonard discussed the administrative procedure that would be used by the New York Office to make up a characterization card regarding an individual. During this portion of the conversation, Epstein asked Leonard if he knew the identity of the Agent who handled the highly reliable source that was used to characterize Stanley David Levison. Leonard stated that he did know the identity of the Agent but refused to disclose it because by so doing it could lead to the identification of this highly reliable source of information. At this point Epstein asked Leonard what he meant when he said Levison was a secret member of the Communist Party and Leonard pointed out to Epstein that it was not Leonard but the source of this information who described Levison as a secret member of the Communist Party and that Leonard was merely repeating that for the purpose of making a characterization of Levison. Epstein then asked Leonard what his definition was of a secret member of the CP and Leonard said he could only give his own definition because he was not aware of the criteria that Bureau headquarters or the New York Office would have for such a definition. Epstein stated that he desired Leonard to give his own definition which he furnished as follows:

~~SECRET~~

~~SECRET~~

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

INTERVIEW OF SPECIAL AGENT FRANCIS T. LEONARD BY SSC STAFF
MEMBER MICHAEL EPSTEIN

1. An individual that would not openly take part in any CPUSA function such as a national convention or state or district convention.
2. An individual who would not be carried on any membership list.
3. Not to be a card carrying member of the CP.
4. Not to be publicly associated with any known members of the CP, socially or otherwise.

Leonard further stated that a secret member would be an individual who adhered to and supported the principle of the CPUSA, that is, to overthrow the United States Government by force and violence and that a secret member would make a contribution to the CPUSA in order that they could accomplish that goal whether it be financial or otherwise.

Epstein then asked if the FBI made any effort to establish Stanley David Levison's connection with the CPUSA other than that which was furnished by the highly reliable source referred to earlier in this memorandum. Leonard stated that there was a constant effort made by physical surveillances and contact with other sources of information to determine a relationship between Stanley Levison and other CP members. Epstein asked if Leonard participated in any physical surveillances of Stanley Levison and Leonard stated that he did recall taking part in such physical surveillances but could not recall the results of these surveillances.

Epstein and Leonard then discussed memoranda regarding technical surveillances of Stanley David Levison in very general terms. Epstein asked if Leonard could recall any evidence of Stanley Levison influencing the civil rights movement at the direction of the CPUSA and Special Agent Leonard answered that he could not.

The interview was terminated with two last questions, one regarding the fact that if Special Agent Leonard had

~~SECRET~~

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SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

INTERVIEW OF SPECIAL AGENT FRANCIS T. LEONARD BY SSC STAFF
MEMBER MICHAEL EPSTEIN

knowledge that microphones were installed at one time or another in the hotel rooms of Martin Luther King and Leonard answered that he had recollection of general information to that effect and, secondly, did Special Agent Leonard know William Sullivan (presumably former Assistant Director William Sullivan) and Special Agent Leonard replied his only personal relationship with Sullivan was when Sullivan lectured to Leonard's training class in 1951.

The interview was terminated at approximately 1:35 P. M. on February 27, 1976.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~SECRET~~

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

3/18/76

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

SSC
HSC

The Attorney General with a copy for forwarding to the White House.

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum setting forth interview of SA Francis T. Leonard

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

NA

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

S

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

Operating procedures
Information handling

#mdel6
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DATE 11-8-00 BY SP-2 ALM/STG

8. SUMMARY (see reverse side before completing this item)

Interviewed concerning his knowledge of the FBI's investigation of Martin Luther King, Jr., the Southern Christian Leadership Conference and Stanley David Levison.

62-116395

TREAT AS YELLOW

AJD:1hb
(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75.

S. Ajd

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.



UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

B-179296

AmDels
**ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-9-02 BY SP-2 ALM/116** MAR 10 1976

Assoc. Dir.	<input checked="" type="checkbox"/>
Dep. Dir. - Adm.	<input checked="" type="checkbox"/>
Dep. Dir. - Inv.	<input checked="" type="checkbox"/>
Asst. Dir.:	
Admin.	<input checked="" type="checkbox"/>
Comp. Syst.	<input checked="" type="checkbox"/>
Ext. Affairs	<input checked="" type="checkbox"/>
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Training	<input checked="" type="checkbox"/>
Legal Coun.	<input checked="" type="checkbox"/>
Telephone Rm.	<input checked="" type="checkbox"/>
Director Sec'y	<input checked="" type="checkbox"/>

Barber

The Honorable Harold R. Tyler
Deputy Attorney General
Department of Justice

Senate Select Committee

Dear Judge Tyler:

In your letter of February 10, 1976, you indicated that the Department and the FBI are prepared to cooperate with us in responding to the request of the Government Information and Individual Rights Subcommittee of the House Committee on Government Operations, provided existing guidelines and agreements established between the Department and GAO are honored. The Subcommittee had requested that we review and describe all lists and indices of individuals maintained by the FBI for investigative purposes.

We have discussed with the Subcommittee staff your proposal and the guidelines under which we reviewed and reported on the FBI's domestic intelligence operations. The Subcommittee staff believes the proposed arrangement and existing guidelines are generally satisfactory.

It is our intention in this review, as well as in future reviews of FBI programs and activities, to observe the general rules governing the handling and disclosure of information which we established with the FBI pursuant to the domestic intelligence review. In this regard, we will take all necessary precautions to protect any documents provided to us and will honor any security classifications applied to those documents. All information will be treated in the greatest confidence and in accordance with FBI security standards to prevent even inadvertent release of sensitive information. As we did with our report on the FBI's domestic intelligence operations, issued February 24, 1976, we will give the FBI the opportunity to review the draft report on the results of our audit to determine whether

EXP. PROC.
11/11/76

REC-61 62-116395-1510

MAR 24 1976

61 MAR 31 1976

184-10072

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ASSISTANT DIRECTOR
INTELLIGENCE DIV.
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MAR 10 4 58 PM '76

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ASSOCIATE DIRECTOR

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ASSISTANT DIRECTOR
ADMINISTRATIVE
DIVISION
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FBI
U.S. DEPT. OF JUSTICE

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MAR 16 3 50 PM 1976
LEGAL COUNSEL

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MAR 17 10 00 AM '76

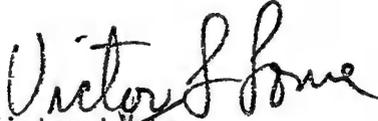
it contains any sensitive information which the FBI believes might compromise its operations. Also, if during our review we receive any requests for specific Department and/or FBI documents or files, we will refer the requestor to the Department or FBI.

We are prepared to abide by the above ground rules; however, as stated in my letter of December 30, 1975, to you, we must have access to all persons and all records and documentation necessary to conduct our review and answer the Subcommittee's request. We do not presently foresee the need for investigative files to complete our review. We cannot preclude that possibility, however, and would have to insist on access to such files if the need arises.

Although any guidelines and agreements established between GAO and the Department pursuant to our review of FBI activities would be honored regardless of which GAO auditors are involved, the review for the Subcommittee will be conducted by the same staff that conducted the domestic intelligence review. Since the Subcommittee requested our review in November 1975, the staff would like to begin work at FBI Headquarters as soon as possible in order to expedite our response. We will coordinate with FBI officials in this regard.

We appreciate your cooperation in this matter.

Sincerely yours,


Victor L. Lowe
Director *D.C.*

cc: The Honorable Clarence M. Kelley
Director, Federal Bureau of
Investigation

UNITED STATES GOVERNMENT

Memorandum

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

TO : Mr. McDermott

DATE: 3/18/76

FROM : W. L. Bailey *WLB*

SUBJECT: SENSTUDY

AMDR16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-8-00 BY SP-2 ALM/STG

Reference memorandum captioned as above dated March 10, 1976, concerning July 18, 1943 Attorney General Memorandum ordering destruction of the Custodial Detention List and August 14, 1943 Bureau letter to all SACs instituting the Security Index.

PURPOSE:

The purpose of this memorandum is to report results of efforts conducted to date by Records Management Division to locate certain materials related to captioned matter, as requested in rememo.

DETAILS:

Referenced memorandum recommended that Files and Communications Division (now Records Management Division) continue efforts to locate additional documentation pertaining to formulation of Security Index and leading to promulgation of Bureau letter to all SACs dated August 14, 1943, containing instructions relating thereto.

7 MAR 25 1976

To date the Service Unit of the Records Management Division has conducted extensive and exhaustive research in this effort. Based upon the information set out in rememo all logical avenues of research have been pursued, and it is believed that all pertinent documents extant have been furnished to appropriate personnel of the Intelligence Division.

RECOMMENDATION:

None. For information.

GWM:cag

(2)

1 - Division 5

Attention: T. J. McNiff

84 MAR 30 1976

RECEIVED
ASSISTANT DIRECTOR
INTELLIGENCE DIV.
MAR 22 9 26 AM 1978

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DATE 11/19/01 BY 60322/UC/STP

UNITED STATES GOVERNMENT

Memorandum

TOP SECRET

- 1 - Mr. J. B. Adams
- 1 - Mr. T. W. Leavitt
- 1 - Mr. E. C. Peterson

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.: _____
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

TO : Mr. T. W. Leavitt

DATE: 3/16/76

FROM : E. C. Peterson

1 - Mr. M. J. Steinbeck

SUBJECT: SOLO
INTERNAL SECURITY - RUSSIA

#MDR16
DECLASSIFIED BY SP2 RJA/116
ON 11-8-00

PURPOSE:

This advises material printed in Senate Select Committee (SSC) documents could compromise SOLO operation.

SYNOPSIS:

SSC Hearings, that have been published and released to the news media, contain references regarding CPUSA funding from the Soviet Union. The CPUSA funding is channelized through SOLO operation and our Chicago Office feels this could terminate the SOLO operation. We believe excisions of documents furnished to SSC were made properly and some examples of previous disclosures are listed herein. A conference is scheduled for 3/17/76 at FBIHQ to analyze extent of damage, value of this operation, and future action.

RECOMMENDATIONS:

None. For information you will be kept advised of pertinent details.

ORIGINAL FILED IN 100-428091

EX-116
REC-13
7 MAR 24 1976

APPROVED:	Comp. Syst. _____	Laboratory _____
Assoc. Dir. _____	Ext. Affairs _____	Legal Coun. _____
Dep. AD Adm. _____	Gen. Inv. _____	Plan. & Eval. _____
Dep. AD Inv. _____	Ident. _____	Rec. Mgnt. _____
Asst. Dir.: _____	Inspection _____	Spec. Inv. _____
Admin. _____	Intell. _____	Training _____

100-428091

MJS:ded
(5)

INITIALS ON ORIGINAL
NOT RECORDED

46 MAR 30 1976
CONTINUED - OVER

TOP SECRET
Classified by 3676
Exempt from GDS, Categories 2 and 3
Date of Declassification Indefinite

~~TOP SECRET~~

Memorandum to Mr. T. W. Leavitt

Re: Solo
100-428091

We believe the excisions were made properly as the reasons for excisions do not pinpoint the SOLO operation and the information is described as coming from several sources.

Previous references to SOLO data have been made public and this operation has continued for over 24 years. Some examples of prior disclosures are: (1) Newspaper article by Victor Riesel on 4/14/64 which published the agenda for a highly secret CPUSA meeting which was reported on by CG 5824; (2) Another article by Riesel on 5/14/64 which comments on "Moscow Gold," the Soviet funding of the CPUSA; (3) The printed report of the Committee on the Judiciary, House of Representatives, considering the impeachment of former President Nixon which was made available to the public in mid-1974 contains on Page 408, Book VII, Part I, a phrase from the Huston report that the CPUSA receives most of its finances from the Soviet Union; (4) John Barron's 1974 book "KGB" identified NY 694's Soviet contact as V. A. Chuchukin as a KGB officer and described him as a disinformation officer; and (5) The 12/1/75 issue of "Time Magazine" reports the basis for FBI investigation of Martin Luther King was information received in 1963 from two high-level CPUSA officials regarding communist party penetration of King's organization. As a result of the publication of the "KGB" book, the Soviets suspended the SOLO operation for six months.

A conference has been scheduled to be held 3/17/76 with representatives of Chicago and New York Offices in attendance at FBIHQ. We will discuss the extent of damage to this operation based upon the current release of information in the SSC Hearings, the value of the SOLO operation, and future course of action.

~~TOP SECRET~~

~~TOP SECRET~~

Memorandum to Mr. T. W. Leavitt
Re: Solo
100-428091

DETAILS:

SOLO is our code word covering a sensitive network of highest-level informants operating against the Communist Party, USA (CPUSA), the Soviet Union, and other communist parties of the world. SOLO informants handle the liaison between CPUSA and USSR, including the transfer of money to the CPUSA.

The printed report entitled "Hearings Before the Select Committee to Study Governmental Operations with Respect to Intelligence Activities of the United States Senate, 94th Congress, Volume 6, Federal Bureau of Investigation," contains certain information concerning the Communist Party, USA (CPUSA) beginning on page 822 which was reproduced from FBI documents. Printed as reasons for excisions is the phrase that the document was excised as it could identify sensitive sources providing information concerning CPUSA funding and travel abroad by CPUSA functionaries. Volume 2 of the above report contains a statement that most of the CPUSA finances are from the Soviet Union. The above information has been furnished Chicago and New York Offices and Chicago teletype 3/12/76 expressed concern about the above information which could terminate this operation.

Copies of the SSC Hearings were released by SSC Staff to the news media on 3/8/76; however, the general public will not be able to purchase copies until about 4/15/76.

By way of background, Bureau letter 7/1/75 transmitted to the Attorney General for his approval and for forwarding to the SSC a document (Bureau letter 1/19/61 to the Honorable Robert F. Kennedy) which contained a summary memorandum setting forth the overall activities of the CPUSA. This memorandum was excised at FBIHQ and the reason for excisions was given as stated above, i.e., information concerned CPUSA funding. By letter 11/14/75 to the Attorney General, Bureau noted additional excisions which could be made to above document which would result in its declassification from "Top Secret;" thus authorizing the SSC to make it available for public hearings.

~~TOP SECRET~~

UNITED STATES GOVERNMENT

Memorandum

~~SECRET~~

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

TO : Mr. T. W. Leavitt *TW/L*

DATE: 3/17/76

FROM : F. J. Cassidy *FJC*

- 1 - Mr. F. J. Cassidy
- 1 - Mr. R. L. Shackelford
- 1 - Mr. S. F. Phillips
- 1 - Mr. D. K. Pettus

SUBJECT: SENSTUDY 75

#mpe/6
DECLASSIFIED BY SP-2 ALM/TIG
ON 11-3-00

PURPOSE:

To advise of proposal by the Senate Select Committee (SSC) to delete a phrase currently in the SSC draft report which is classified and insert an unclassified broad generalization of several investigative techniques which would be published in the final SSC report.

SYNOPSIS:

An SSC staff member was advised on 3/16/76 that a proposal to change the wording of an item in the SSC draft report on Counterintelligence Programs (Cointelpros) so that it might be declassified is unacceptable. A staff member then proposed to delete the classified item and insert an unclassified sentence which summarizes several investigative techniques. There is no apparent basis for classification of the new proposal. The revision, if approved, will be confirmed in writing by the SSC to this Bureau.

CURRENT BUREAU POLICY:

Not applicable.

REC-115

62-116395-1507

7 MAR 28

62-116395

1 - 62-116009 (Cointelpro)

CONTINUED - OVER

DKP:lfj
(10)

~~SECRET~~

SEE DETAILS PAGE 3

Classified by 5736
Exempt from GDS, Category Number 2
Date of Declassification Indefinite

5- *[Handwritten signature]*

UNRECORDED COPY FILED IN 62-116395-1507

~~SECRET~~

Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

RECOMMENDATION:

That the SSC staff be telephonically advised that deletion of a classified item in the SSC draft report and substitution of an unclassified sentence setting forth a broad generalization of investigative techniques would be acceptable.

PP

Q

*R/S
T/M*

APPROVED:	Comp. Syst.....	Laboratory.....
Assoc. Dir.....	Ext. Affairs.....	Legal Coun..... <i>JML</i>
Dep. AD Adm.....	Gen. Inv.....	Plan. & Eval.....
Dep. AD Inv..... <i>JML</i>	Ident.....	Rec. Mgmt.....
Asst. Dir.: <i>JML</i>	Inspection.....	Spec. Inv.....
Admin.....	Intell. <i>TWL/HEH</i>	Training.....

JML

ADD/JDM

CONTINUED - OVER

~~SECRET~~

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~~SECRET~~

Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

DETAILS:

A review of the SSC draft report on FBI Cointelpros on 3/2-3/76 by Intelligence Division supervisors determined that one item which was unclassified should be classified "Secret." The item, which appeared on page 78, paragraph 1, lines 6-8, read as follows: ". . . to having the FBI Lab forge an informant's report in the target's handwriting, thus making it extremely difficult for him to deny the accusation.***" SSC staff member Barbara Banoff advised on 3/15/76 that the staff, after a review of this item, proposed that "forge" be changed to "fake." She was telephonically advised on 3/16/76 that the change was not acceptable to the Bureau. She then proposed that the following unclassified sentence be inserted: "The method of pointing the fingers range from having an authentic informant start a rumor about the target member, to anonymous letters or phone calls, to faked informant reports." Banoff then advised this sentence would be substituted for the previous phrase referring to the FBI Laboratory forging an informant's report in the target's handwriting.

The change now proposed by the SSC would seem to offer no justification whatsoever for classification, and would appear to be in such general terms that there is no danger that it would compromise any of our sensitive intelligence sources and/or techniques. If the proposed change is approved, the SSC will confirm it in writing to this Bureau.

~~SECRET~~

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:

- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

TO : Mr. J. B. Adams

DATE: 3/9/76

FROM : Legal Counsel *JMA*

SUBJECT: SENSTUDY 75

#m DR 16
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/3/00 BY SP-2 ALM/...

By letter dated 2/17/76 from F. A. O. Schwarz, Counsel for captioned Committee, addressed to Michael E. Shaheen, Jr., Counsel, Office of Professional Responsibility, U. S. Department of Justice, procedures were set forth for our review of draft reports relating to FBI activities. The procedures allowed for our review for the purpose of determining whether there were any "classifications (or other such problems, e.g., the identity of informers) which may be inadvertently raised" in the Committee's reports. The procedures were that these reports would be reviewed in Committee space.

Subsequently, on 3/8/76, Mitchell Rogovin of CIA advised that William Miller, Staff Director of captioned Committee, had agreed to a procedure whereby the reports would be reviewed in the interested agency's space with the author of the report being available. Subsequent to the receipt of this information from Rogovin, John T. Elliff, Domestic Task Force Director of captioned Committee, was advised by SA Paul V. Daly of this Division that consistent with Miller's agreement the FBI in the future would review the reports affecting the Bureau in Bureau space. Elliff who apparently was unaware of this agreement said he saw no problem with this procedure.

RECOMMENDATION:

For information.

- 1 - Mr. Mintz
- 1 - Mr. Leavitt
- 1 - Mr. Phillips
- 1 - Mr. Daly

PVD:lad *LAD*
(6)

84 MAR 31 1976

REC-115

62-116395-1506

7 MAR 23 1976

Intell. Div. previously advised.

RECEIVED
ASSISTANT DIRECTOR
INTELLIGENCE DIV.

RECEIVED
MAR 9 3 31 PM 1976
LEGAL COUNSEL

MAR 10 9 49 AM 1976 RECEIVED

MAR 10 10 58 AM '76

ASSOCIATE DIRECTOR

RECEIVED-DIRECTOR
F. B. I.

MAR 11 2 06 PM 1976

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RECEIVED
INTELLIGENCE DIV

RECEIVED
MAR 10 10 58 AM '76

- 1 - J. B. Adams
- 1 - Mr. T. J. Jenkins
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. H. N. Bassett
March 2, 1976

The Attorney General

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

- 1 - Mr. F. C. Fehl
- 1 - Mr. R. J. Gallagher
- 1 - Mr. E. W. Walsh
- 1 - Mr. T. W. Leavitt
- 2 - Mr. S. F. Phillips

ALL INFORMATION CONTAINED ^{HEREIN} IS UNCLASSIFIED
DATE 11/3/00 BY SP-2 ALM/1819

Reference is made to letter from SSC Chairman Frank Church to you dated December 11, 1975, which discussed matters relating to FBI practices which might be considered to be or have the appearance of being improper, as well as sensitive FBI practices. The SSC requested certain documents relating to this matter.

On February 23, 1976, Mr. Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination of the Department, furnished to this Bureau a set of documents, most of which originated with this Bureau. On February 24, 1976, Messrs. William O. Cregar, Paul V. Daly and Seymour F. Phillips of this Bureau met with Mr. Jack W. Fuller, Special Assistant to you, and Mr. Shaheen. The following general understandings were reached as to the manner in which the necessary reply to the SSC would be made and as to the documentation which would be furnished to the SSC.

The format and procedure of replying to the SSC to be the same as for the numerous similar prior SSC requests for FBI materials. That is, a memorandum would be prepared by the FBI, with accompanying supportive documents, which would be furnished to the SSC after approval by the Department. As many of the documents to be furnished the SSC contain the names of present and former FBI personnel against whom allegations of misconduct have been made, it was agreed that such names would be excised due to privacy considerations.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Evbl. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

62-116395

SFP:1hb/nd
(15)

ROUTE IN ENVELOPE

MAIL ROOM TELETYPE UNIT

SEE NOTE PAGE 2

SECRET MATERIAL ATTACHED

84 MAR 26 1976

HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS

ENCLOSURE
ENCL BEHIND FILE

REC-115

375-1505
 DELETED TO COMMITTEE 3-2-76
 DELETED TO COMMITTEE 3-2-76

EW/RSH
JAM
JAM

HNB
J
T...
P

The Attorney General

Finally, it was pointed out at the February 24, 1976, meeting that numerous documents concerned the most sensitive of matters, many classified "Top Secret." Consideration has been given to furnishing excised versions of these documents to the SSC but it is apparent that such excisions, as would be necessary, would render the documents virtually useless. It was also noted that some of the matters discussed in the sensitive documents had already been made known to the SSC through personal briefings by FBI personnel and submission to the SSC of other documents. Examples are matters relating to surreptitious entries and incommunicado interviews. It was, therefore, agreed that, in lieu of furnishing to the SSC the sensitive documents, the memorandum to be furnished the SSC would summarize and explain the situation in a manner which would satisfy the SSC's request.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum in response to its December 11, 1975, request. Also being furnished to you, for your records, is a copy of the memorandum along with a set of the documents which are being furnished to the SSC.

Other than those sensitive documents which are being summarized in the enclosed memorandum, the SSC is being furnished the documents forwarded to the Bureau by the Department for our consideration relating to the referenced SSC request.

Enclosures (2)

**1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for**

NOTE: Intelligence Coordination

Attached below the yellow of the enclosed memorandum is a copy of the SSC request of 12/11/75 which, it should be noted, the Bureau was unaware of until 2/23/76.

~~SECRET~~

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

- (1) Investigative report dated May 23, 1975, at New York City.
- (2) Two FD-302's, both dated May 5, 1975, which are included in the above report.
- (3) FBI letter to the Attorney General dated June 4, 1975.

The following concerns the "sensitive practices" aspect of the SSC request. All but two of the documents are classified "~~Top~~ Secret," one "Secret" and one "Confidential." Some of the matters discussed in these highly sensitive documents have already been made known to the SSC through personal briefings by FBI personnel and submission to the SSC of other documents. Examples are matters relating to surreptitious entries and incommunicado interviews.

The documents in the "sensitive practices" area for the most part deal with sensitive sources and methods and, in most instances, are in the realm of peculiarly sensitive foreign intelligence operations. Also, the release of a substantial portion of these documents could have an adverse effect on the foreign relations of our country. These matters thus fall within the purview of agreement between Senator Church and the Attorney General in July, 1975, which set forth guidelines for the delivery of documents to the SSC (3(a) of the agreement).

A substantial portion of the documents falling within the sensitive area deals with illicit radio broadcasts either originating in a hostile foreign country and directed to the United States, or concerns agents of a hostile foreign country illicitly in contact with foreign officials in the United States. Other techniques falling within this area

~~SECRET~~

62-116395-1505

X

~~SECRET~~

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

concern the ability to follow hostile foreign officials while in a travel status in a manner that is undetectable to the official; concern a capability, within legal means, to detect when instruments of war or terrorism are clandestinely introduced into the United States in violation of existing statutes; and concern an ability to exploit the computerization of telephone numbers of known and suspected terrorists residing in the United States in an effort to determine if there is a coordinated and systematic liaison between these terrorists.

1 - The Attorney General

NOTE:

A set of the materials being delivered to the SSC is being retained with the Senstudy 75 Project. The material and cover LHM will be delivered to the SSC by the Legal Counsel Division after Department approval.

~~SECRET~~

- 3 -

62-116395-1505

~~SECRET~~

- 1 - Mr. J. B. Adams
- 1 - Mr. T. J. Jenkins
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. H. N. Bassett
- 1 - Mr. F. C. Fehl

62-116395

March 2, 1976

- 1 - Mr. R. J. Gallagher
- 1 - Mr. E. W. Walsh

1 - Mr. T. W. Leavitt
2 - Mr. S.F. Phillips

**U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

m 0216
DECLASSIFIED BY SP2 PLM/216
ON 11-3-00

Reference is made to the letter dated December 11, 1975, from SSC Chairman Frank Church to the Attorney General, which discussed matters relating to FBI practices which might be considered to be or have the appearance of being improper, as well as sensitive FBI practices. The SSC requested certain documents relating to this matter.

Being delivered with this memorandum are a number of documents, mostly of FBI origin, which are believed responsive to the SSC request. Inasmuch as a number of these documents deal with allegations of misconduct on the part of present and former FBI personnel, the names of these personnel have been excised for privacy reasons.

The following should be noted concerning the Caputo matter about which the SSC is being furnished several documents under the title "John Caputo." Additional documents concerning this matter exist in the Department of Justice files but, because they have been previously furnished to the SSC, duplicate dissemination is not now being made. FBI memorandum dated January 26, 1976, facilitated the delivery of the Caputo documents under a subheading "Allegation Number Four." For the assistance of the SSC, the specific documents previously furnished are as follows:

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

SFP:lhb/lhb ORIGINAL AND ONE COPY TO AG
(14)

~~SECRET~~

SEE NOTE PAGE 3

Classified by 2047 B 3/1/76
Exempt from GDS, Categories 2 and 3
Date of Declassification Indefinite

62-116395-1505 NATIONAL SECURITY INFORMATION

Unauthorized Disclosure Prohibited GPO: 1975 O - 594-120

ENCLOSURE Subject to Criminal Sanctions

This document is prepared in response to your request and is not for dissemination outside your Committee. It is not to be disseminated to other personnel without the express approval of the FBI.

62-116395-1505

JAHN, CHAIRMAN
KAS, VICE CHAIRMAN
HOWARD H. BAKER, JR., SEN.
BARRY GOLDWATER, SEN.
CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

JAM G. MILLER, STAFF DIRECTOR
ACK A. O. SCHWARZ, JR., CHIEF COUNSEL
JIE R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

#mdel6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-3-00 BY SP-2 JAM/176

December 11, 1975

RECEIVED
DEC 15 1975

The Honorable Edward H. Levi
Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mr. Attorney General:

Your statement to the Committee on December 11, 1975 indicated that on February 26, 1975 you instructed FBI Director Kelley to report to you "any requests made of the Bureau or practices within the Bureau, which he deems improper or which present the appearance of impropriety." You stated further that on February 28, 1975 Director Kelley ordered FBI personnel to report such requests or practices to him. According to your written statement, you reaffirmed your February directive in July 1975 and made an additional request "for a report of all sensitive investigative practices."

You indicated that the Director promptly complied with your directives and "has regularly provided information on conduct by Bureau agents and programs underway within the Bureau that could raise questions."

In your response to questions from members of the Committee you testified that the information reported by Director Kelley in response to your directives dealt with FBI activities and programs outside the COINTELPRO.

The Committee requests that you provide it with all documents, including but not limited to Director Kelley's memoranda and the attachments thereto, which you have received from the FBI in response to your directives of February 26 and of July 1975. The Committee will, of course, treat these documents in the same manner in which other sensitive material has been handled.

5. Phillips

I look forward to your response to this request.

Many thanks for your informative and thoughtful testimony. Your continued cooperation is greatly appreciated by the Committee.

Sincerely,

Frank Church
Chairman

OFFICE OF LEGISLATIVE AFFAIRS

ATTY. GENERAL

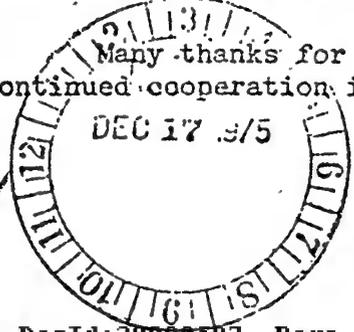
DEPARTMENT OF JUSTICE

DEC 15 1975

O.R.O.M.

OFFICE OF LEGISLATIVE AFFAIRS

ATTY. GENERAL



62-

ENCLOSURE

Att to A/G
cc D/A
Fuel (2)
3/2/76
S/T/O/...

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE

LTR LHM Memo Report dated 3/2/76

Caption of Document: U.S. Senate Select Committee
(SSC). (SSC Letter 12/11/75)

Originating Office: FBI

Delivered by: [Signature] Date: 3/3/76

Received by: [Signature]

Title: ATTY SSC

Return this receipt to the Intelligence Division, FBI

#m d e l s
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-3-00 BY SP-2 ALM/116

[Illegible text]

[Illegible text]

TO: Intelligence Community Staff
 ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED
3/2/76

<input checked="" type="checkbox"/>	DOCUMENT	<input type="checkbox"/>	BRIEFING	<input type="checkbox"/>	INTERVIEW	<input type="checkbox"/>	TESTIMONY	<input type="checkbox"/>	OTHER
-------------------------------------	----------	--------------------------	----------	--------------------------	-----------	--------------------------	-----------	--------------------------	-------

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum and enclosures

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 12/11/75

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

S

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

**Operating procedures
 Information handling**

8. SUMMARY (see reverse side before completing this item)

Material regarding FBI practices which might be considered to be or have the appearance of being improper, as well as sensitive FBI practices.

m de 16
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/3/00 BY SP2-ALM/24

62-116395

SJM:1hb (4) ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH SENSTUDY 75.

TREAT AS YELLOW

5. [Signature]

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

MAR 18 1976

TO: John A. Mirra, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

#moe16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/3/00 BY SP-2 AZM/STG

FROM: Steven Blackhurst
Assistant Special Counsel for
Intelligence Coordination

SUBJECT: SSC Letter Dated March 16, 1976

Attached is a letter from the SSC dated March 16, 1976, clarifying and supplementing its request dated February 4, 1976. Please arrange for appropriate responses.

REC-100

62-116345-1504

7 MAR 22 1976

ENCLOSURE

cc: Paul Daly

5-8



84 MAR 24 1976

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN

PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

March 16, 1976

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

MDR/16
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/3/00 BY SP2 ALM/STG

Dear Mike:

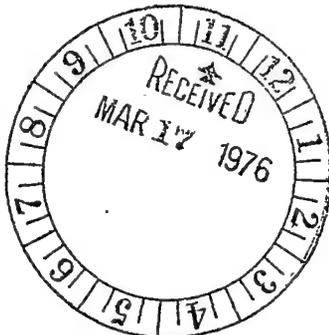
Pursuant to my conversation today with Mr. Steve Blackhurst of your office, I wish to clarify and amplify my request of February 4, 1976, Part II.

The Select Committee requests that the FBI provide any materials pertaining to the electronic surveillance of White House staff officials under the administration of President Franklin D. Roosevelt in 1944 and 1945, specifically including the residence telephones of Mr. Harry Hopkins and Mr. Thomas Corcoran. In addition, the Select Committee requests materials pertaining to the authorization and purpose of the electronic surveillances from 1945 to 1948 represented by the material appearing in the "official and confidential" files of Director Hoover.

Please expedite this matter as it is necessary for inclusion in our report.

Sincerely,

John T. Elliff, Director
Domestic Intelligence Task Force



62-116395-1504

ENCLOSURE

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- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt
- 1 - Mr. F. J. Cassidy

The Attorney General

March 16, 1976

Director, FBI

- 1 - Mr. S. F. Phillips
- 1 - Mr. D. Ryan

**UNITED STATES SENATE SELECT
COMMITTEE TO STUDY GOVERN-
MENTAL OPERATIONS WITH RESPECT
TO INTELLIGENCE ACTIVITIES (SSC)**

Fm DRE/16
ALL INFORMATION CONTAINED
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DATE 11-3-00 BY SP-2 PZ/TW/16

Attached for your information and for possible forwarding to Mr. James A. Wilderotter, Associate Counsel to the President, is the original of a memorandum which sets forth a summary of the comments made by FBI representatives after reviewing on March 2-3, 1976, the draft of the Senate Select Committee (SSC) report entitled "Cointelpro: The FBI's Covert Action Programs against American Citizens." This summary is an effort to set forth examples of distortions and editorializing which appear in the draft report to the best recollection of the reviewers.

A copy of the memorandum is also being furnished for your records.

REC-100

62-116395-1503

MAR 19 1976

UNREC COPY AND COPY OF ENCL FILED IN 62-116395

Enclosures - 2

62-116395

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- Training _____
- Legal Coun. _____

1 - The Deputy Attorney General (Enclosure)
Attention: Michael E. Shaheen, Jr., J.D.
Special Counsel for
Intelligence Coordination

1 - 62-116009 (Cointelpro)

DR:lfj/sj
(12)

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SEE NOTE PAGE 2

TO BE DELIVERED BY OFFICE OF
CONGRESSIONAL AFFAIRS

Delivered by J.O. Stassine
3/18/76

84 MAR 24 1976

MAIL ROOM TELETYPE UNIT

The Attorney General

NOTE:

Memorandum from Mr. Cassidy to Mr. Leavitt dated 3/8/76 set forth details relating to the review of Special Agents Don K. Pettus, Arthur G. Pote and David Ryan of the SSC draft report. This is to forward to the Attorney General for his possible referral to the White House those portions of the memorandum which set forth distortions and editorializing in the SSC draft report.

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Dep. AD Inv. *[Signature]* _____
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Admin. _____

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Training _____

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt
- 1 - Mr. F. J. Cassidy
- 1 - Mr. S. F. Phillips
- 1 - Mr. D. Ryan

62-116395

March 16, 1976

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 ALL INFORMATION CONTAINED
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 DATE 11-3-00 BY SP2 AM/MS

UNITED STATES SENATE SELECT COMMITTEE
 TO STUDY GOVERNMENTAL OPERATIONS WITH
 RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

On March 2-3, 1976, FBI Intelligence Division supervisors visited the Senate Select Committee (SSC) offices at the Dirksen Office Building to review the 133-page (double spaced) Committee draft report on discontinued FBI Counterintelligence Programs (Cointelpros). Barbara Banoff of the Committee staff made available three copies of the SSC draft report dated February 24, 1976, entitled "Cointelpro: The FBI's Covert Action Programs against American Citizens," which were to be reviewed for classification. The copies of the draft report were noted "Sensitive" and it was indicated each copy was one of 13.

Classification: Two items appearing in the draft report were deemed by the reviewers to require classification of "Secret" or higher as their disclosure could jeopardize sensitive sources and/or techniques in the foreign intelligence area. These two items were identified on a separate sheet of paper and furnished to the SSC on March 3, 1976.

Denial of Access to Supporting Documents: The FBI reviewers asked for a copy of Special Agent Ryan's deposition which had previously been submitted to the Committee so it could be checked against the draft to verify the accuracy of statements attributed to Ryan in the draft and also to determine if they had been utilized out of context. After checking with the Committee Security Officer, Miss Banoff advised the FBI reviewers would not be afforded access to any depositions or other supporting documentation of the Committee.

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- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

1 - 62-116009 (Cointelpro)

SEE NOTE PAGE 10

DR:lfj/sg
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ORIGINAL AND ONE TO THE
 ATTORNEY GENERAL

62-116395-150 TO BE DELIVERED BY OFFICE OF
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ENCLOSURE

United States Senate Select Committee
To Study Governmental Operations with
Respect to Intelligence Activities (SSC)

Editorialization by the SSC: The draft, on its first page, alleges "Cointelpro is the story of decent men who did terrible things for what they saw as the greater good of the country," without any supporting material. Later, and throughout the report, it is indicated "The techniques were adopted wholesale from wartime intelligence," apparently paraphrasing information furnished to the Committee by former Assistant to the Director William C. Sullivan who is cited in the report as describing counterintelligence as "dirty business." "The unexpressed major premise of programs (Cointelpros) was that a law enforcement agency has not only the right but the duty to maintain the existing social and political order by secretly manipulating thoughts and behavior and to immobilize those who threaten that order by seeking activity to change it or by adopting visibly different life styles." Further in the report, Cointelpro is described as "a declaration of war on the advocates of change" and also characterized as a "sophisticated vigilante operation." The draft attempts to depict the Bureau in a most unfavorable light by such statements as "The image of an agent of the U. S. Government scrawling a poisoned pen letter to somebody's wife in language usually reserved for a bathroom's walls is not a happy one." Finally, the draft alleges "The instances of attacks on speaking, teaching, writing and meeting go on and on." There follow several examples of "attacks," leading to the draft's statement that "The only conclusion that can be drawn from the cases is that the Bureau considered the First Amendment a danger to the country," a conclusion which is felt to be characteristic of the overall tenor of the language of the draft.

Quotes from Depositions: Among the present and former Bureau officials quoted in the draft are former Assistant to the Director William C. Sullivan, Assistant Director Charles D. Brennan,

United States Senate Select Committee
To Study Governmental Operations with
Respect to Intelligence Activities (SSC)

Section Chief George C. Moore, and Supervisors Thomas J. Deakin, Russell Horner and David Ryan, all of the Intelligence Division (INTD). As noted above, access to the full depositions of these officials is apparently not available even to those who furnished said depositions.

However, Ryan's deposition is quoted in the draft in several instances in a manner believed to be inaccurate or at best distorted to support SSC conclusions. It is indicated in the draft that Ryan, in his deposition, described "fellow travelers" as "those taking positions supported by the communists, such as school integration, increased minority hiring and opposition to HUAC." Although Ryan recalls defining "fellow travelers" in his deposition, the description furnished in the draft report is not recalled, is not in his wording, and is not in accordance with his views.

Also, in a footnote further in the report, a number of lurid and sexually oriented techniques are cited followed by the statement "The subject could go on, but the subject is, 'as Ryan put it, 'degrading.'" Ryan specifically remembers his use of the word "degrading" was in reference to the insistence of SSC staff members to discuss sexually oriented techniques to the exclusion of all others during his deposition, and not to characterize Cointelpro. (Banoff was orally advised by Ryan on March 3, 1976, of this distortion.)

Definition of "New Left": In an obvious attempt to support its contention that the titles of the various Cointelpros and the targets were vague and ill-defined, the draft report indicates "nor could anyone at the Bureau even define 'New Left'" on page 4. This statement is again reported on page 9. However, on page 40, in an apparent self-contradiction, the report states "Some agents defined 'New Left'

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To Study Governmental Operations with
Respect to Intelligence Activities (SSC)

functionally, by connection with protest. Others defined it by philosophy, particularly antiwar philosophy." The draft report ignores the fact that former Assistant Director Brennan, in his public testimony before the SSC, was asked to and did define "New Left." Additionally, Ryan in his deposition indicated to the SSC he could define "New Left" but did not believe it pertinent to his testimony. One former INTD supervisor is cited in the report as stating in his deposition he was unable to define "New Left," and that he recalled no specific definition in Bureau documents.

(An FBI document dated October 28, 1968, captioned "New Left Movement," contains a detailed definition of "New Left." A copy of this document was referred to the SSC and it appears as Exhibit 61 on page 669 in Volume 6 of the published SSC hearings relating to the FBI, November 18-19, December 2-3, 9-11, 1975.)

Emphasis on Black Nationalist and New Left Programs:
While the report indicates over half of all Cointelpro actions were conducted in the program which targeted the Communist Party, USA (CPUSA), specific actions in this area are alluded to in a vague and generalized manner. The report concludes the Cointelpros became more damaging to constitutional rights as they progressed, with the final two programs, which targeted Black Nationalists and New Left, the most offensive. Selective, incomplete summaries of numerous Cointelpro actions targeting such groups as the Black Panther Party (BPP) are cited with either no characterization of their propensity for violence or with incomplete descriptions regarding their extremist or subversive nature.

A specific example of failure to characterize an organization with a propensity for violence occurred in the summary of a Cointelpro action directed against a member of the Black Liberators.

**United States Senate Select Committee
To Study Governmental Operations with
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A characterization of the organization would have disclosed it as a pseudomilitary group composed of black militants who sought open confrontation with the establishment and emulated the BPP in its aims. In addition to the failure to characterize organizations, no effort was made throughout the draft to outline the true objective of the FBI or to indicate any positive results were obtained in any instance. Also, on one occasion the report cites in some detail a suggested technique of a sensationalist nature which the draft states was "apparently" dropped, ignoring a communication furnished to the SSC reflecting that the proposal had been dropped.

Unreported Cointelpro Activities: Quoting former Assistant to the Director Sullivan, the draft report states that although the formal program was instituted in 1956, Cointelpro-type activities had been conducted by the FBI for years. It cites the originating Cointelpro document in the CPUSA as indicating an "ad hoc" Cointelpro consisting of "harassment" had existed for years primarily operated by the field offices. The formal Cointelpros are described as an effort by the FBI to expand and formalize the scope and targets.

The SSC draft comments that it had been advised of two Cointelpro actions effected after FBI Headquarters issued instructions that the programs be discontinued and indicates a comprehensive review of FBI files would undoubtedly uncover numerous others.

To support this contention, the report states the SSC discovered a third instance of Cointelpro action which occurred four months after termination of the programs. This instance involved the furnishing of information to a friendly newspaper source under the so-called "Mass Media Program" intended to discredit an attorney and his client. A footnote at this point in the report indicates that Charles Colson spent seven months in jail for similar activity involving the client.

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(Although the above-described action might be described as of a Cointelpro-type, it was not conducted under any Cointelpro. The action is not specifically identified in the SSC draft report, but in Volume 6 of published SSC hearings, November 18-19, December 2-3, 9-11, 1975, the action is described in testimony of SSC staff member John Elliff appearing on page 165, and in staff report entitled "Political Abuse and the FBI" which appears as Exhibit 36 on page 470. The action relates to FBI furnishing of public record information to a newsman regarding the communist associations of Leonard B. Boudin, attorney for Daniel Ellsberg. Exhibit 37, page 486 of the same published volume, indicates the action was conducted under the Boudin caption without reference to Cointelpro.)

An effort is made in the draft report to indicate Cointelpro actions were conducted under other titles and, as alleged by the Socialist Workers Party, are still being conducted in the form of harassment interviews, contacts with employers, etc. The draft states ". . . actions in the Rev. Martin Luther King case which cannot, by any stretch of the language, be called 'investigative' were not called Cointelpro, but were carried under the investigative caption."

Inciting Violence: The report makes an extensive effort by citing selective actions to indicate Cointelpro intended to incite violence, including murders. In what appears to be an obvious attempt to characterize the FBI as unconcerned regarding violence, former Section Chief "Moore was asked whether the fact no one was killed was the result of 'luck or plan.' He answered: 'Oh, it just happened that way, I am sure.'" Numerous examples of actions directed against the BPP, and particularly the BPP-US feud, are cited to indicate the FBI incited violence which could be attributed to

United States Senate Select Committee
To Study Governmental Operations with
Respect to Intelligence Activities (SSC)

actual murders. Frequent reference is made to "snitch jacket" techniques which are described as "labeling a group member an informant when he is not." Although this expression is not known to have been utilized within the Bureau, the report accredits it to former Section Chief Moore and indicates this technique could well result in violence. The report does indicate in one instance in 1971 a technique was "rejected because of the possibility it would result in a target's death." It downplays these instructions by stating two other unidentified techniques which could result in murder were approved shortly thereafter.

The draft report indicates a separate report is being prepared on disruptive efforts aimed at the Panthers and it "will examine in detail the Bureau's attempts to foment violence."

Notification: In a more objective treatment, the draft report sets out in some 15 pages details relating to Bureau documentation alerting members of the Executive Branch, including the Cabinet, and members of the Legislative Branch to the existence of the Cointelpros. However, it is indicated that only the CPUSA and White Hate Programs were discussed in documents notifying officials outside the Bureau, and in these instances the references to Cointelpro were generalized or vague. The report emphasized the Fiscal Year 1963 budget testimony explicitly outlines our Cointelpro efforts, but questions that such information was ever presented before the Subcommittee on Appropriations.

Department Review: The draft report criticizes the Department of Justice review of FBI Cointelpros (Petersen report) as incomplete, implying cover-up or a lack of penetrative interest. It is indicated Department attorneys working with the Petersen Committee were not allowed to work with original Bureau files/documents and were required to rely on FBI-prepared write-ups which were incomplete. Portions of legal memoranda which appeared as exhibits in the original Petersen report, and which have not previously been publicized, are cited in the SSC draft and these, too,

United States Senate Select Committee
To Study Governmental Operations with
Respect to Intelligence Activities (SSC)

are taken out of context or limited to support contentions of the SSC. The SSC draft differs with the conclusions of the Petersen report in that interferences with First Amendment rights in the Cointelpros were "insubstantial" and also in the Petersen report classification of some techniques as "legitimate." It is indicated that although the Petersen report concluded infringements upon First Amendment rights constituted only a small percentage of the overall techniques, the victims in these instances would not consider the attack upon their rights as insubstantial.

In regard to the review of the Cointelpros by representatives of the Civil Rights Division, the SSC draft indicates the decision that prosecution was not warranted was "a finding endorsed by Assistant Attorney General Stanley Pottinger after a hasty two-day review of the documents in 1975." (On March 3, 1976, Ryan pointed out to Banoff that in his deposition he had indicated he had been present when representatives of the Civil Rights Division, including Pottinger, had reviewed the Cointelpro files and he considered the review had been thorough, as relates to both general and specific areas. Banoff responded by saying Pottinger, himself, had been interviewed and had indicated his review had been "hasty." It is noted Civil Rights Division attorneys reviewed the five basic Cointelpros on three separate days and spent an additional day reviewing more recently uncovered FBI Cointelpro files.)

Miscellaneous: Typical of distortions appearing in the SSC draft was the statement "As David Ryan, Chief of the Cointelpro Unit. . ." which indicates an overall responsibility of Ryan for overall Cointelpro activity. (Banoff was advised on March 3, 1976, that in his deposition he indicated he had been a Unit Chief responsible for Cointelpro during the period 1963-67, and his primary involvement was with the CPUSA effort. Banoff agreed the phrase was a distortion and commented she realized Ryan had no involvement with the Black Nationalist or New Left Programs.)

**United States Senate Select Committee
To Study Governmental Operations with
Respect to Intelligence Activities (SSC)**

The SSC draft cites Supervisor Thomas J. Deakin as ". . . the only Bureau witness to have reservations about Cointelpro's constitutionality." Continuing, the report states "Another witness gave a more typical response. When asked whether anybody at any time during the course of the programs discussed their constitutionality or legal authority, he replied, 'No, we never gave it a thought.' (Moore deposition)."

Information set forth above is typical of the distorted character of the SSC report. Ryan specifically recalls when he was being deposed he was questioned if consideration had been given to the constitutionality of Cointelpro techniques and he responded affirmatively. Ryan not only indicated this was a continuing consideration, but he cited examples. One example which appears in Ryan's deposition relates to Cointelpro efforts to expose and preclude clandestine Communist Party use of meeting halls. Ryan advised former Assistant to the Director Alan H. Belmont had questioned the constitutional proprieties of such action as possible violations of the First Amendment rights, and efforts had been made to preclude such infringements.

Notionals (fictitious organizations) are briefly alluded to in the draft report. Three examples are given. One relates to an organization whose members are all Bureau informants. The report indicates a notional chapter of the W. E. B. DuBois Club was considered but never effected. A second type organization is described as one with unsuspecting (non-informant) members, and in this example the establishment of a Klan organization under the control of a Bureau informant (the Confederate Knights of the Ku Klux Klan)

**United States Senate Select Committee
To Study Governmental Operations with
Respect to Intelligence Activities (SSC)**

is mentioned, indicating the Bureau paid the informant's expenses in setting up this 250-member group. The third example relates to an organization which is wholly fictitious for the purpose of disseminating propaganda. The Committee for Expansion of Socialist Thought in America (CESTA) is described as such a group. CESTA attacked the CPUSA from the Marxist right for two years in approximately 1965-67. Although the SSC draft is not severely critical of CESTA, it makes no effort to point out evidence indicating the operation was successful, it being noted this information was available to it.

- 1 - The Attorney General
- 1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE:

See letter to Attorney General dated 3/16/76, captioned "United States Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (SSC), prepared by DR:lfj.

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Files & Com.	Intell.		

mf
JMA
1/23/76

UNITED STATES GOVERNMENT

Memorandum

~~SECRET~~

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt

- Assoc. Dir. _____
- Dep. AD Adm. _____
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- Director Sec'y _____

TO : Mr. T. W. Leavitt *TW/L*

DATE: 3/16/76

FROM : F. J. Cassidy *FJC*

- 2 - Mr. E. C. Peterson
(1 - Mr. M. J. Steinbeck)
- 1 - Mr. F. J. Cassidy
- 1 - Mr. R. L. Shackelford
- 1 - Mr. S. F. Phillips
- 1 - Mr. D. K. Pettus

SUBJECT: SENSTUDY 75

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DECLASSIFIED BY SP-2 ALM/196
11-2-00

PURPOSE:

To advise of action taken by the Senate Select Committee (SSC) regarding classification changes made as a result of a review of the SSC draft report on 3/2-3/76 by Intelligence Division supervisors.

SYNOPSIS:

The SSC staff, as a result of suggestions made by Intelligence Division supervisors following review of the SSC draft report on FBI Counterintelligence Programs (Cointelpros), agreed to delete one item entirely and seek a change in wording of the other item so it might be declassified. The Bureau takes the position at this time that change would be unacceptable to warrant declassification because of possible compromise of a sensitive technique with foreign intelligence ramifications.

CURRENT BUREAU POLICY:

Not applicable.

REC-100

62-116395-1502

RECOMMENDATION:

That SSC staff member Barbara Banoff be telephonically advised on 3/16/76 that the suggested change in order to declassify an item currently in the SSC draft is unacceptable.

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62-116395
1 - 62-116009
(Cointelpro)

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Classified by 5736
Exempt from GDS, Category Number 2
Date of Declassification Indefinite

S. Pettus

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Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

DETAILS:

A memorandum on 3/9/76 advised that as a result of the review of the SSC draft report on FBI Counterintelligence Programs (Cointelpros), it was determined that two items included in the draft which were unclassified should be classified "Secret." At the conclusion of the review, a written statement was submitted to SSC staff member Barbara Banoff, setting forth the two items that should be classified "Secret" in order to protect foreign intelligence sources and/or techniques.

Miss Banoff advised SA Don K. Pettus on 3/15/76 that the Committee has agreed to delete any reference in the report to the item which set forth the proposal that a representative of the FBI Laboratory sabotage a printing press imported from East Germany by the Communist Party, USA.

The second item which the review determined should be classified appeared on page 78, paragraph 1, lines 6-8, and read as follows: ". . . to having the FBI Lab forge an informant's report in the target's handwriting, thus making it extremely difficult for him to deny the accusation.***" Banoff advised on 3/15/76 that the staff, after a review of this item, proposed that "forge" be changed to "fake," noting that this is not the only instance in which a fake informant report has been submitted. Banoff indicated the SSC would like to have a reply on 3/16/76 as to whether the recommended change would be approved by the Bureau. She did indicate that if the recommendation was accepted a letter would be submitted by the SSC to the Bureau confirming the change. Supervisor David Ryan, on 3/15/76, advised that changing the word "forge" to "fake" would be inadequate in that it could still compromise a technique which could cause Communist Party members to conduct additional reviews of an incident in 1965 when this technique was used in a successful counterintelligence action with foreign intelligence ramifications.

~~SECRET~~

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T.W. Leavitt *TDW*

FROM : J.G. Deegan *JGD*

SUBJECT: SENSTUDY 75

- DATE: 3/11/76
- 1 - Mr. Adams
 - 1 - Mr. D.W. Moore
 - 2 - Mr. Mintz (Daly)
 - 1 - Mr. Leavitt
 - 1 - Mr. Phillips
(SENSTUDY)
 - 1 - Mr. Deegan
 - 1 - Mr. Newman

Assoc. Dir. _____
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The purpose of this memorandum is to report the review of one additional page which the Senate Select Committee (SSC) proposes to use in their final report on the use of informants in domestic intelligence investigations.

As reported in memorandum J.G. Deegan to Mr. T.W. Leavitt dated 3/1/76 we previously reviewed a draft of the portion of the SSC proposed report dealing with informants.

On 3/1/76, at the invitation of SSC Staff Member Robert Kelley, Supervisor Homer A. Newman, Jr., reviewed one additional page which they contemplate using in their final report.

This page was captioned "Case Number 11, Ku Klux Klan." The page dealt in a vague manner with the fact that we, on one occasion, had used an informant to break away from one Klan organization for the purpose of creating an opposition Klan group which would cause dissension and hopefully neutralize Klan activities in the area. There were no specifics mentioned in this write-up nor did it indicate the state in which this occurred nor any time frame. At our suggestion, Mr. Kelley agreed that he would change this write-up to reflect that we did not instigate the creation of this new Klan group; however, did utilize this group after it was created through our informant. Additionally, he agreed to change this write-up to reflect that although there were a considerable number of charters issued for new units, only a few actually came into being. The write-up as it appears would not further identify any of our informants or expose any ongoing investigative techniques. This entire

HAN:tdp (9)

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 DATE 11-2-00 BY SP-2/AV/116

REC-100
 62-116395-1501
 MAR 19 1976

Handwritten initials/signature

84 MAR 24 1976

Memorandum to Mr. T.W. Leavitt
RE: SENSTUDY 75
62-116395

write-up is based on the fact that we used an informant in North Carolina some years ago to neutralize Klan activities through the creation of an opposition Klan group. This is obviously the situation to which Senator Robert Morgan of North Carolina has made reference in a number of news releases and speeches. You would have to be intimately familiar with Senator Morgan's allegations in order to tie the two together.

ACTION:

For information.

PVD/ JDM

HN *B*

APPROVED: <i>[Signature]</i>	Comp. Syst.	Laboratory
Assoc. Dir. <i>[Signature]</i>	Ext. Affairs	Legal Coun. <i>[Signature]</i>
Dep. AD Adm.	Gen. Inv.	Plan. & Eval.
<i>per</i> Dep. AD Inv. <i>[Signature]</i>	Ident.	Rec. Mgmt.
Asst. Dir.: <i>[Signature]</i>	Inspection	Spec. Inv.
Admin.	Intell. <i>TWL/RET</i>	Training

K

UNITED STATES GOVERNMENT

Memorandum

~~SECRET~~

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

TO : Mr. T. W. Leavitt

DATE: 3/9/76

FROM : F. J. Cassidy

SUBJECT: SENSTUDY 75

- 2 - Mr. E. C. Peterson
(1 - Mr. M. J. Steinbeck)
- 1 - Mr. F. J. Cassidy
- 1 - Mr. S. F. Phillips
- 1 - Mr. D. Ryan

DECLASSIFIED BY SP2 ALM/TKG
ON 11-2-00

This is to advise of two items set forth in the draft report of the Senate Select Committee (SSC) on FBI Counterintelligence Programs (Cointelpros) which required classification and which the SSC was alerted on 3/3/76 should be classified.

On 3/2-3/76, Intelligence Division Supervisors Don K. Pettus, Arthur G. Pote and David Ryan reviewed the 133-page (double spaced) SSC draft report dated 2/24/76, entitled "Cointelpro: The FBI's Covert Action Programs against American Citizens," at the SSC offices to determine if any information contained therein required classification. At the conclusion of this review, the following statement was presented to SSC staff member Barbara Banoff:

Classification:

3/3/76

A review of the 133-page draft Senate Select Committee report on Cointelpro indicates the following items should be classified "Secret" or higher, to protect foreign intelligence sources and techniques:

1. Page 58, the paragraph in the footnote ** reading: MAR 22 1976
"The second proposal suggested that a representative of the FBI Lab sabotage a printing press imported from East Germany by the CPUSA by making certain adjustments during customs inspection which would cause abnormal wear of vital parts."

CONTINUED - OVER

62-116395

~~SECRET~~

1- 62-116009 (Cointelpro)

DR:lfj
(11)

Classified by 5736
Exempt from GDS, Category Number 2
Date of Declassification Indefinite

UNRECORDED COPY FILED IN 62-116009

84 MAR 24 1976

~~SECRET~~

Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

2. Page 78, paragraph 1, lines 6-8, reading: "... to having the FBI Lab forge an informant's report in the target's handwriting, thus making it extremely difficult for him to deny the accusation. ***"

On 3/8/76, Banoff telephonically requested SA Ryan to review the original serials for the two items (100-3-104-34-1001 and 100-3-104-1492) to determine if they, in fact, were classified. A review of the files determined the first item had not been classified and the second was classified "Confidential." Banoff was advised these serials were originally intended to be internal documents and, when reviewed for classification retroactively, the first was overlooked and the second was misinterpreted as to degree of classification. Banoff was advised that publication of this information at this time could be reasonably expected to result in serious damage to the national security as it could disclose intelligence sources and/or methods. Banoff advised that she anticipated this information would not be included in the published SSC report.

Item 1 above contains information received and reported exclusively by our sensitive Solo informants and its publication could cause speculation within the Communist Party as to their identities. Item 2 relates to the capability of the FBI Laboratory in an area with foreign intelligence ramifications. Publication of the second item in the SSC report could cause Communist Party members to conduct additional reviews of an incident in 1965 when this technique was used in a successful counterintelligence action with foreign intelligence ramifications. The original documents relating to these two techniques have now been classified "Secret."

ACTION:

None. For information.

~~SECRET~~

- 2 -

SR

B

NY

per

*John
JCF*

*TW
KES*

mac

Jim

John
Pls. arrange
to have copies of this
memo placed
Mr. Jenkins
D. W. Moore, Jr.
with 62-116395
Walt - witness
Ben & ...

T-55C

Walt
Clay

3/16/76

"FACE THE NATION" PROGRAM
CBS TV NETWORK
REQUEST FOR APPEARANCE BY THE DIRECTOR

Signature

R. J. ...
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP2AM/1968

This memorandum is being prepared to recommend that the Director not appear as requested on an upcoming "Face the Nation" TV program.

On March 12th Joan Barone, Assistant Producer of "Face the Nation," Washington, D. C., contacted Deputy Assistant Director Homer A. Boynton of my staff to request that the Director give consideration to appearing on the "Face the Nation" program on the Sunday after the release of the Senate Select Committee report on the Bureau. Miss Barone indicated that the report is scheduled to be released at the end of March and, therefore, the appearance would be on Sunday, April 2nd, or if the report is delayed, Sunday, April 11th.

I feel that the Director should not appear at this time on this program. It can be expected that the final report of the Senate Select Committee will be highly critical of the Bureau, and I do not feel that the Director, because of other heavy commitments, will have the time to be adequately briefed to respond to the allegations contained in the report. In addition, it is felt that the Director should not be stigmatized by close association with the alleged mistakes and improprieties of the past.

RECOMMENDATION

That the Director not accept the invitation to appear on "Face the Nation" and Miss Barone be informed that the reason for this is the Director is heavily committed for the next several months.

- 1 - Mr. Moore
- ① - Mr. Leavitt
- 1 - Mr. Campbell
- 1 - Mr. Malmfeldt

HAB:asg
(5)

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42-116395-

NOT RECORDED

46 MAR 19 1976

84 MAR 24 1976

184-10068
184-10068
184-10068

UNITED STATES GOVERNMENT

Memorandum

- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt
- 1 - Mr. S. F. Phillips

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

TO : Mr. T. W. Leavitt *WHA*

DATE: 3/18/76

FROM : S. F. Phillips *SF*

~~SECRET~~

SUBJECT: SENSTUDY 75

DECLASSIFIED BY *1678 RFP/CH*
ON JAN 8 1986

GATTAD/SLC

SF

This is to record for the file my review of certain documents from Department files which Department is furnishing copies of to the Senate Select Committee on Intelligence Activities (SSC).

On 3/17/76, Mr. Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination, brought to my office several documents from Department files concerning Martin Luther King, Jr., and related matters which SSC Staff Member Michael Epstein had previously reviewed at the Department and then requested delivery. Blackhurst asked that I review the documents to see if the Bureau had any objection to their delivery and to make any excisions which the Bureau felt appropriate. After review, it was my judgment that no problem was apparent except as relating to one document, the New York report of SA Philip H. Sheridan dated 7/12/63, "Communist Infiltration of the Southern Christian Leadership Conference; IS-C" (Bureau file 100-438794-21). I suggested that on page 4 in the following, which is the last paragraph, the portion as underlined below be excised:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

100-438794
UNRECORDED COPY FILED IN

EX-115 REC-62 *62-116395-1498*

NY T-3 advised on June 13, 1963, *7 MAR 19 1976*
that MARTIN LUTHER KING had been
described as a real "Marxist-Leninist"
who is following the Marxist-Leninist
line.

X (u)
EVE

62-116395

1 - 100-438794 (Southern Christian Leadership Conference)

SFP:lhb lhb

(6) Classified by *6080* CONTINUED - OVER

Exempt from GDS, Category *2*
Date of Declassification Indefinite

LED/bia 12-2-77

~~SECRET~~

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



84 MAR 24 1976

Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

~~SECRET~~

I told Blackhurst that the reason for excision should be any of three reasons: (1) Could identify a confidential informant; (2) Could affect ongoing investigation; or (3) Peculiarly sensitive foreign intelligence operation. Blackhurst indicated full understanding and advised it will not be necessary for him to give a reason for excision to the SSC.

ACTION:

None. For the record.

~~SECRET~~

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt

FROM : S. F. Phillips

SUBJECT: SENSTUDY 75

- 1 - Mr. D. W. Moore
(Attn: H. A. Boynton)
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt
- 1 - Mr. S. F. Phillips
- 1 - Mr. V. V. Kolombatovic
- 1 - Mr. S. J. Miller

DATE: 3/12/76

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.: _____
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intel. _____
 Laboratory _____
 Legal Coun. _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Telephone Rm. _____
 Director Sec'y _____

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 3/18/00 BY SP2 ALM/136

This memorandum reports the review by Special Agent (SA) Andrew J. Duffin of that portion of the Senate Select Committee (SSC) draft concerning the National Security Agency (NSA) and the Watch List.

On 3/5/76, SA Duffin reviewed the portion of the SSC draft report concerning NSA and the Watch List in the SSC space. The draft, 94 pages, doubled spaced, entitled "National Security Agency Surveillance Affecting Americans" was classified "Top Secret/Handle Via Comint Channels Only" and was draft dated 2/26/76.

The review revealed that the vast majority of the text concerned NSA and secondarily CIA and its cooperation with and support of NSA functions and only marginally dealt with the FBI. The references concerning the FBI deal particularly with the Watch List and the FBI input thereto. Several quotes excerpted from FBI documents and from testimony of individuals, including former Assistant Director Wannall, were set out in the report; however, the original documents from which these were taken were not available for review. EX-115 7 MAR 19 1976

There were three passages in the report which the reviewer felt were misleading (contained on pages 2, 29 and 45) which were discussed with SSC Staff Member Brent Schneitter. Mr. Schneitter advised that the individual who actually drafted the report was no longer with the SSC and, upon reading these questioned passages, he (Schneitter) agreed that they were subjectively written and deleted them.

62-116395

AJD:lhb/hb
(8)

CONTINUED - OVER

SEE ADDENDUM PAGE 4

84 APR 24 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

Mr. Wobensmith was advised that it was the Bureau's position that these names should not be set forth in the report. He stated that was NSA's adamant position and advised that NSA would continue to implore the SSC to delete these names.

On 3/9/76, Mr. Brett Schneitter, SSC, supra, telephonically advised SA Duffin that the SSC had decided that no identities of either individuals or organizations would be set forth in the portion of the SSC report concerning NSA.

ACTION:

That no press response be developed regarding the draft report of the SSC on the NSA inasmuch as it is felt no new issues are raised which would warrant the Bureau's comment.

Jid

*TWL
Held*

AVD/JDM

NOTE:
In answer to a question
raised by JBA -
yes - This means that
names attributed to
FBI will be taken out.
MS 3/11/76

pu

APPROVED:	Comp. Syst.....	Laboratory.....
Assoc. Dir.....	Ext. Affairs.....	Legal Coun..... <i>JDM</i>
Dep. AD Adm.....	Gen. Inv.....	Plan. & Eval.....
Dep. AD Inv..... <i>JDM</i>	Ident.....	Rec. Mgmt.....
Asst. Dir.:	Inspection.....	Spec. Inv.....
Admin.....	Intell..... <i>TWL/Held</i>	Training.....

Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

Additionally, on page 29, a paragraph contained examples of names of individuals and organizations submitted for inclusion on the Watch List by Secret Service and the FBI. Attributed to the FBI were Muhammed Ali, Roy Innis and Eldridge Cleaver "as well as the Black Student Unions at many colleges and universities." Mr. Schneitter was advised that it would be the FBI's position that these names should not be set forth in the report for numerous reasons not the least of which would be that they could ostensibly lead to the revelation of sensitive sources or methods on behalf of the intelligence community through subsequent Freedom of Information Act (FOIA) requests or law suits. He stated he appreciated the FBI's position; however, the decision as to the inclusion in the SSC's report was as yet undecided.

The original handwritten notes taken during the course of this review are being maintained in the Senstudy Project files.

On 3/8/76, Mr. John Wobensmith, NSA, telephonically conferred with SA Duffin indicating that the SSC draft concerning his agency had been reviewed numerous times by NSA personnel and, in fact, by NSA's Director and Deputy Director, both of whom passed on its contents as to classification and accuracy. He noted that ultimately when the report is published it will not be classified and NSA has agreed to this as they have successfully accomplished deletions which would necessitate classification. He advised that the only item contained in the report with which NSA was still concerned was the setting out of actual identities of individuals and groups as contained on the Watch List submitted by Secret Service and FBI.

CONTINUED - OVER

UNITED STATES GOVERNMENT

Memorandum

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
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- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

REC-62

TO : Mr. Jenkins

DATE: 3/10/76

FROM : D. W. Moore, Jr.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/2/00 BY SP2 [signature]

SUBJECT: SEN STUDY 75
ARTICLE BY JOHN CREWDSON, "NEW YORK TIMES"
"FBI PENETRATION," MARCH 10, 1976

[Handwritten signature]

John Crewdson, reporter for the "New York Times," contacted Deputy Assistant Director Homer Boynton of my staff on March 9th to advise that he was preparing a story which would allege that the FBI had been penetrated by the KGB on three occasions since World War II.

Crewdson stated that one of these penetrations was in New York, one in Washington, and one in San Francisco. He related that his information concerning the San Francisco penetration was quite incomplete and had to do with some FBI documents which were reportedly furnished to a member of the Soviet Consulate in San Francisco and a member of the Consulate subsequently attempted to sell these documents back to the Government. The New York incident involved an Agent in that office; however, Crewdson would provide no additional details. He did state, however, that he was familiar with the story involving "Edie," a waitress in a restaurant next to the New York FBI Office who had had an affair with an Agent in the New York Office; however, Crewdson was also aware that this matter was concluded with a determination that it was not a penetration of the FBI by the KGB.

Crewdson also advised that he had additional information that an Agent in the Washington Field Office (whose name he did not know) was involved with the KGB and that this Agent had obtained some documents from the Washington Field Office and had furnished them to the Soviets. The Bureau resolved this matter when it observed the Agent making a telephone call from a telephone booth--supposedly to a Soviet contact. The telephone booth which was in Montgomery County, Maryland, was placed under surveillance by Agents of the Washington Field Office. The Agent who was reportedly working with the Soviets was observed making a phone call and was subsequently interviewed and fired.

ST 115

7 MAR 19 1976

Crewdson stated that he had all of the aforementioned information from a highly reliable source.

- 1 - Mr. Adams
- 1 - Mr. Leavitt (CONTINUED-OVER)
- 1 - Mr. Seymour Phillips
- 1 - Mr. Moore

84 MAR 24 1976 (5)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNRECORDED - COPIES FILED 105 - 111423

62-116395
5- [signature]

Memorandum to Mr. Jenkins
Re: Senstudy 75

The following statement was furnished to Crewdson as the Director's reponse to the allegations set forth above:

"FBI Director Clarence M. Kelley advised that all U. S. Intelligence agencies are targets for penetration by hostile foreign intelligence services. The FBI is no exception and is constantly on the alert to detect such attempts at penetration. Over the years several allegations have come to our attention that attempts have been made to penetrate the FBI. Exhaustive investigations have not disclosed any evidence that a hostile foreign intelligence service ever successfully recruited or operated an employee of the FBI."

RECOMMENDATION

For record purposes.

Per *JM*
JB *Tuttle*
Jma

UNITED STATES GOVERNMENT

Memorandum

- Assoc. Dir. _____
- Dep. Adm. _____
- Dep. Asst. Dir. _____
- Asst. Dir.:
- Adm. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

- 1 - Mr. J. B. Adams
- 1 - Mr. D. W. Moore

DATE: March 9, 1976

- 2 - Mr. J. A. Mintz
(1 - Mr. P.V. Daly)
- 1 - Mr. T. W. Leavitt
- 1 - Mr. S. F. Phillips
- 1 - Mr. R.L. Shackelford
- 1 - Mr. B. C. Rachner

TO : Mr. T. W. Leavitt *TLW*

FROM : R. L. Shackelford *RLS*

SUBJECT: SENSTUDY-75

This memorandum reports the review of that section of the Senate Select Committee (SSC) draft report captioned "IRS: An Intelligence Resource and Collector" by Section Chief R. L. Shackelford and Special Agent B. C. Rachner.

A request was made to the Legal Counsel Division for Bureau personnel to review above document for need for classification. On 3/2/76 this review was conducted consisting of pages 17 through 52 of that document and based on the review of the document alone, which was the only material available, no need for classification is evident.

The document purportedly studies the means of obtaining and the uses made of IRS tax information. The report relates primarily to the pre-1968 period and criticizes IRS for release of tax information without requiring a stated purpose and criticizes the FBI for some of its uses of the information. For your information, the pre-1968 procedures for obtaining tax information by the FBI would appear to have been accurately supported. There was no definition of the exact procedures subsequent to 1968 other than to mention that in 1968 by virtue of IRS request procedures were changed. No reference was made to procedures used for obtaining tax information subsequent to 1968. Beginning in 1968 IRS tightened up their procedures and required a formal letter from an Assistant Attorney General for the Bureau to obtain the returns. In general, the report was highly critical of IRS for the release of tax information without stated purpose and highly critical of what appear to be isolated instances where FBI use of the information obtained was "illegal".

7 MAR 18 1976

In support of their conclusion of improper use of IRS tax information, the report cites the case involving antiwar activist Sidney Morris Peck, who is not identified by name in the report, and the late Martin Luther King, whose

62-116395

RLS:BCR/pcn

(9)

CONTINUED - OVER

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-2-00 BY SP-2 HEM/MLG

S. F. Phillips
(initials)

EX-115 REC-62 1495

S. F. Phillips
FIVE

Memorandum to Mr. T. W. Leavitt
Re: SENSTUDY-75
62-116395

Identity is set forth. Both of these instances appear to be related to COINTELPRO actions involving the two men. The portions of the report concerning the Black Extremist Program and King were reviewed by Special Agent H. A. Newman.

Several errors were noted in the report, one being improper attributions to Special Agent Rachner, which were corrected. In discussion with Walter Ricks, SSC Staff Member, it was pointed out that material contained on pages 49 and 50 concerning the FBI's role in audits done by IRS regarding Students for a Democratic Society (SDS) were not believed to be accurate. Ricks advised that he could not say positively that this information was obtained from FBI documents and, in fact, admitted that the language used appeared somewhat speculative and he would make an effort to change the report to put the FBI's role in proper perspective. Ricks stated he would discuss this matter with other staff members and try to find the source of the conclusions and if the comments were not documented try to make appropriate revisions.

Office of
Cong. Affairs
will follow
and check
to see if
changes
made.
JCF
3/11/76

The portion of the report reviewed by Bureau personnel contained no recommendations by SSC. With the exception of the above-cited information concerning SDS, all material cited appears to have been documented and facts as set forth stood on their own.

RECOMMENDATION:

Because of selection of the SSC of isolated instances of questionable use of IRS tax information, no press response be developed attempting to challenge this section of the draft report. The primary thrust of the report is aimed at IRS release of tax information without requiring sufficient justification.

BR
PWS
TWL
Hed
AM
JCF
AM
2
AM



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

MAR 15 1976

TO: *JPM* John P. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Steven Blackhurst
SB Assistant Special Counsel for
Intelligence Coordination

SUBJECT: SSC Letter Dated March 9, 1976

#MDP/16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP2 *ALD/...*

Attached for your information is a letter from the Senate Select Committee dated March 9, 1976. No action is necessary unless the Bureau has objections to those portions of the draft report referred to in the SSC letter.

EX-115

REC-38

62-110335-1494

7 MAR 18 1976

S
ENCLOSURE

Daly

5-8

cc: Paul Daly

176 12 4 1976



84 MAR 24 1976

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
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BARRY GOLDWATER, ARIZ.
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RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

MAR 11 11 02 AM '76
DEPT. OF JUSTICE
MAIL UNIT

March 9, 1976

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

#MDL16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP-3 PLM/STB

Dear Mike:

During the week of March 1-5, 1976, Mr. Robert Shackelford and other officials of the FBI Intelligence Division reviewed a draft portion of the Select Committee's final report on domestic intelligence. This portion of the report included the following:

- II. The Growth of Domestic Intelligence: 1936 to Date
 - B. The Establishment of a Permanent Domestic Intelligence Structure: 1936-1945
 - C. Domestic Intelligence in the Cold War Era: 1946-1963.

This letter is to confirm that John Elliff was assured by Mr. Shackelford that the FBI has no objection on security grounds to the publication of this report. If any changes are made in the substance of this portion of the report, it will be resubmitted prior to publication.

Thanks very much for your help throughout the inquiry into this subject.

OFFICE OF LEGISLATIVE AFFAIRS
Office of Professional Responsibility
Sincerely,
Frederick A. O. Schwarz, Jr.
Chief Counsel
DEPARTMENT OF JUSTICE
MAR 11 1976

cc: Mr. Paul Daly
Mr. Robert Shackelford

R.A.O.
OFFICE OF LEGISLATIVE AFFAIRS

62-116395-1494

ENCLOSURE

Office of Professional Responsibility



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

MAR 15 1976

TO: ~~John A. Mintz~~, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Steven Blackhurst
Assistant Special Counsel for
Intelligence Coordination

SB

SUBJECT: SSC Letter Dated March 9, 1976

#MOE16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP2 ALM/2/13

Attached for your information is a letter
from the ~~Senate Select Committee~~ dated March 9, 1976.
No action is necessary unless the Bureau has objections
to the insert to the draft report referred to in the
SSC letter.

S

EX-115

REC-38

62-116395-1493

7 MAR 18 1976

[Handwritten signature]

[Handwritten mark]

S
ENCLOSURE

cc: Paul Daly

58

MAR 17 1976

C



MAR 24 1976

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CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

MAR 11 1 37 PM '76

DEPT. OF JUSTICE
MAIL UNIT

March 9, 1976

Michael E. Shaheen, Jr., Esq.
Office of Professional Responsibility
U.S. Department of Justice (Room 4313)
Washington, D.C. 20530

#MDR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP2 Bm Htg

Dear Mike:

On March 8, 1976 Mr. Homer Newman of the FBI reviewed for security problems an insert captioned Case No. 11 to the Select Committee's draft report entitled "The Use of Informants in FBI Domestic Intelligence Investigations." (Previously, as set out in Steve Blackhurst's letter dated March 2, 1976, the Department of Justice cleared the above referenced report with respect to security matters.)

After reviewing the proposed insert, Mr. Newman stated that no problem was raised with respect to security. This letter is intended to confirm the fact that unless I receive word to the contrary from you, the Department of Justice has no objection to the publication of the above referenced report including the insert reviewed on March 8 by Mr. Newman.

Thanks very much for your help throughout on this matter.

Sincerely,



Frederick A. O. Schwarz, Jr.
Chief Counsel

OFFICE OF LEGISLATIVE AFFAIRS

Office of Professional Responsibility

cc: Paul Daly, FBI

DEPARTMENT OF JUSTICE	
MAR 11 1976	
R.A.O.	

OFFICE OF LEGISLATIVE AFFAIRS

Office of Professional Responsibility

62-116395-1493

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

Handwritten initials

TO : Mr. T. W. Leavitt *TWL*

FROM : F. J. Cassidy *FJC*

SUBJECT: SENSTUDY 75

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. D. W. Moore

DATE: 3/9/76

- 1 - Mr. T. W. Leavitt
- 1 - Mr. F. J. Cassidy
- 1 - Mr. S. F. Phillips
- 1 - Mr. D. Ryan

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/2/00 BY SP2 ALM/MG

Handwritten signature

This is to set forth for background purposes only comments made by a Senate Select Committee (SSC) staff member relating to the preparation of its draft report on "Cointelpro: The FBI's Covert Action Programs against American Citizens." 5

On 3/2-3/76 Supervisors Don K. Pettus, Arthur G. Pote and David Ryan of the Intelligence Division visited SSC offices to review the draft of the Committee's report on Cointelpros for the need for classification and related matters. A separate memorandum is being prepared detailing the results of this review. Information set forth herein was furnished in personal conversations by SSC staff member Barbara Banoff. Because it is not known what assumption of confidentiality was intended by Banoff, it is being set forth herein for background purposes to assist those officials involved in matters relating to the SSC.

On 3/2/76, in furnishing copies of the draft report to Bureau representatives, Banoff stated "Try not to get upset about the inflammatory statements." On 3/3/76 Banoff commented that this was the fifth draft of the SSC report on Cointelpros, indicating disagreement with many of the changes made. When one of the Bureau representatives indicated to her that much of the language of the report did not sound like her wording, she indicated the report had been subjected to considerable rewriting by SSC Chief Counsel Frederick A. O. Schwarz, Jr. She said Schwarz had edited and rewritten the report

62-116395
1 - 62-116009 (Cointelpro)

DR:lfj/fj
(10)

EX-115

CONTINUED - OVER

REC-38

Handwritten file number 62-116395-1492

7 MAR 18 1976

UNRECORDED COPY FILED IN 62-116395

84 MAR 22 1976

Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

and instructed her to take similar action to give it "punch" and add "color." She said Schwarz had completely rewritten, himself, the first two pages of the report and he had also eliminated from the report "flatter" material inserted by Banoff.

It is noted the first two pages of the draft report contained such statements as "Cointelpro is the story of decent men who did terrible things for what they saw as the greater good of the country," and ". . . the techniques were adopted wholesale from wartime intelligence."

Banoff also advised that after Schwarz had rewritten portions of the report, it had been read by Committee member Senator Walter F. Mondale. Mondale had returned the report, instructing some of the "editorializing" be eliminated.

On 3/2/76 Ryan was greeted by Schwarz at the Committee offices. Schwarz queried as to Ryan's opinion of the draft report. When Ryan indicated the report was based on selective documentation, much taken out of context, Schwarz responded, "Well, what did you expect?"

Banoff opined the draft report on Cointelpro would receive considerable additional editing by Schwarz, Minority Counsel Curtis R. Smothers, and by Committee members before it was finally released for publication. She also expressed the opinion it would be shortened considerably from its present 133 pages (double spaced) prior to its publication.

ACTION:

None. For information.

SL *DR*

WCF

- 2 -
Jim *Walsh*

per *TWL*
HGB

Jim
Jeff

7/20/16 ON THIS ENVELOPE
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP-2 ALM/MS

1491

#mde16
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DATE 11-2-00 BY SP2 ALM/1716

508

94TH CONGRESS
2D SESSION

S. RES. 377

1/28/76
[Handwritten signatures and initials]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 1976

Mr. CHURCH submitted the following resolution; which was referred by unanimous consent to the Committee on Rules and Administration

RESOLUTION

Authorizing additional expenditures by the Select Committee To Study Governmental Operations With Respect to Intelligence Activities for an inquiry and investigation relating to intelligence activities carried out by or on behalf of the Federal Government, and extending the date for submission of the final report of such select committee.

1 *Resolved*, That the date for submission of the final re-
2 port of the Select Committee To Study Governmental Oper-
3 ations With Respect to Intelligence Activities of the results
4 of the investigation and study conducted pursuant to S. Res.
5 21, Ninety-fourth Congress, is extended to March 15, 1976,
6 and after the submission of its final report the select com-
7 mittee shall have until May 31, 1976, to close its affairs and
8 shall cease to exist at the close of such day.

v

5-8

94TH CONGRESS
2D SESSION

S. RES. 377

RESOLUTION

Authorizing additional expenditures by the Select Committee To Study Governmental Operations With Respect to Intelligence Activities for an inquiry and investigation relating to intelligence activities carried out by or on behalf of the Federal Government, and extending the date for submission of the final report of such select committee.

By Mr. CHURCH

FEBRUARY 2, 1976
Referred, by unanimous consent, to the Committee on Rules and Administration

1 SEC. 2. The expenses of the select committee from March 1,
2 1976, through May 31, 1976, shall not exceed \$400,000,
3 of which amount not to exceed \$15,000 may be expended
4 for the procurement of individual consultants or organiza-
5 tions thereof. Such expenses shall be paid from the con-
6 tingent fund of the Senate upon vouchers approved by the
7 chairman of the select committee, except that vouchers shall
8 not be required for the disbursement of salaries of employees
9 paid at an annual rate.

UNITED STATES GOVERNMENT

Memorandum

File

TO : *J.J. Mc Dermott / J.J. m*

FROM : *W.D. Bailey / WDB*

SUBJECT: *Senstudy*

DATE: *3-12-76*

#m0216
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *11-2-00* BY *SP2ALM/AB*

X *377 - 74th Congress 2nd sess*
5-2-76

The attached *377 - 74th Congress 2nd sess* has been received in the Records Section, appropriately initialed, and indicated for file. By use of instant transmittal memorandum, all necessary recording and indexing will be accomplished. It is to be noted this form is for internal use only within the Records Section, principally by the Routing Unit where bulky material not accompanied by memorandum is usually received.

The enclosure, if bulky and not usually filed with other papers in file, may be detached but this action should be clearly noted under the word "Enclosure."

Enc.

EX-115

REC-38 *62-116395-1491*

NOT RECORDED

7 MAR 12 1976

S
ENCLOSURE
"ENCLOSURE ATTACHED"

5-0

1491



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

MAR 11 1976

TO: *[Handwritten signature]* John M. Witz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: *SB* Steven Blackhurst
Assistant Special Counsel for
Intelligence Coordination

SUBJECT: SSC Letter Dated March 11, 1976

#MDR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *11/2/00* BY *SP-2 ALM/...*

Attached for your information is a letter
from the Senate Select Committee dated March 11, 1976.

EX-115

REC-38 *62-116395-1498*

7 MAR 18 1976

5
ENCLOSURE

cc: Paul Daly

[Faint handwritten notes]



MAR 24 1976

20 12 1976 3 59 PM

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OFFICE OF
CONGRESSIONAL
AFFAIRS

MAR 12 3 59 PM 1976

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CONGRESSIONAL
AFFAIRS

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FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

March 11, 1976

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

#MDR16
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP-7ALM/afg

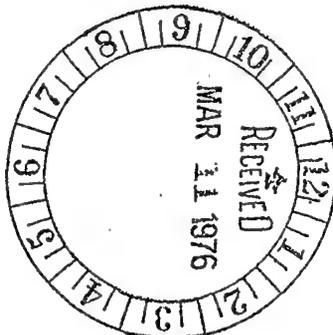
Dear Mike:

In recent days the Select Committee has submitted portions of its report to the FBI for review to determine whether their publication might inadvertently reveal classified information. This process is proceeding smoothly, and I have advised you periodically of the results.

I want to assure you that the Select Committee does not intend to publish any materials without prior review by the FBI. The inclusion in the report of specific references to, quotations from, or summaries of material provided by the Bureau does not mean that the Committee will interpret clearance of the report by the Bureau as a basis for disclosing the underlying materials. If any additional materials or portions thereof which do not appear in the report are to be considered for publication or other public release, prior review by the FBI will be sought.

Sincerely,

Frederick A. O. Schwarz, Jr.
Frederick A. O. Schwarz, Jr.
Chief Counsel



62-116395-1410

ENCLOSURE

Edwards

March 11, 1976

The Honorable Edward H. Levi, Attorney General of the United States, Department of Justice, Washington, D.C. 20530

Dear Mr. Attorney General, Thank you for your letter of March 3, 1976 and the enclosed revised guidelines. I believe that real progress is being made in this difficult process by your office. It is my intention to continue our hearings designed to formulate legislation to provide the appropriate limits of authority and policy for FBI activity in the domestic security area initially and other areas of their responsibility subsequently.

I would like to share with you my thoughts on some problem areas which I perceive in the Domestic Security Investigations guidelines. The first involves preliminary investigations. These investigations are not subject to the same reporting requirements as full investigations, unless they involve 90-day extensions. It seems clear that preliminary investigations will constitute the bulk of such cases in terms of the number of cases, though probably not in terms of investigative effort expended. The guidelines indicate that preliminary investigations may be terminated at any time by the Attorney General, his designee, or FBI Headquarters. If no 90-day extensions are involved, it is unlikely that such termination by the Attorney General or FBI Headquarters would ever occur, since only

77 MDC/16
ALL FBI INFORMATION CONTAINED
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DATE 11-29-88 BY SP-2 RUM/AMK

ENCLOSURE

65-116095-1440

JUN 24 1976

[Faint, illegible markings]

The Honorable Edward H. Levi
March 11, 1976
Page 2

periodic reporting upon request of the Department of Justice is required.

One of the continuing controversies in this area is the bases for opening preliminary investigations. An 89-day preliminary investigation employing each of the techniques enumerated in paragraph IIE, which ends without further action, is the Bureau activity which must be continually monitored. These kinds of investigations will involve, to a great extent, persons or organizations who have been falsely or mistakenly identified. I believe that we need to be able to assure ourselves and the public that the opening of such investigations which involve persons or organizations engaged in possibly controversial but legitimate conduct are minimized, if not totally prohibited. I do not believe that the Congress or the Attorney General should be in the position of being unaware of the nature of the allegations or information which activates preliminary investigations. I am not calling for a constant presence of either your department or the Congress. But we must be able to devise a joint mechanism so that your department and the Congress understand how and why cases are initiated. I will greatly appreciate your reaction and comments about this concern.

The guidelines for domestic security investigations and for reporting on civil disorders and demonstrations provide a number of formal reporting requirements which will enable your department to closely monitor most of the described activities. I would like to be able to implement with your department a method whereby the Congress can be a participant in the receipt and analysis of such reports. I believe this to be extremely important at the beginning while the guidelines are getting their initial field testing. On this issue, I would also appreciate your earliest comment and response.

In the guidelines for reporting on civil disorders, there are at least three paragraphs (IVB, IVD and VB) which call for authorization by your office. I believe it is appropriate and necessary that such authorization be in writing. The accountability concept may well

The Honorable Edward H. Levi
March 11, 1976
Page 3

dissolve as time and memories pass if such is not memorialized. I believe that your department has no objection to being accountable in writing for its decisions, but we must concern ourselves about policy for future Attorneys General. In this area, I again solicit your comments and views.

Thank you again for keeping the Subcommittee advised of your progress in these areas of our mutual interest.

With kind regards,

Sincerely yours,

Don Edwards
Chairman
Subcommittee on Civil and
Constitutional Rights

DE:ps

UNITED STATES GOVERNMENT

Memorandum

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

TO : Mr. T. W. Leavitt *TWC*

DATE: March 11, 1976

FROM : R. L. Shackelford *RS*

- 1 - Mr. J. A. Mintz (Daly)
- 1 - Mr. T. W. Leavitt
- 1 - Mr. R. L. Shackelford
- 1 - Mr. T. J. McNiff
- 1 - Mr. S. F. Phillips
- 1 - Mr. A. L. Lacey
- 1 - Mr. H. A. Newman

SUBJECT: SENSTUDY-75

PURPOSE:

To record receipt of letter from Frederick A. O. Schwarz, Jr., Chief Counsel, recording the review by SA's Newman, Lacey, McNiff and myself of a portion of the Senate Select Committee's report for classification purposes.

DETAILS:

This review of the first two parts of a three-part section of the report concerning domestic intelligence investigations was conducted on 3/4/76. No classification problems were apparent from a review of the draft, which was the only material available, and John Elliff, Task Force Director, was so advised by Shackelford on 3/5/76. The attached letter is consistent with arrangements for confirming this advice.

Elliff was advised of other areas of the report where the reviewers took exception to the language used and conclusions drawn. This was the subject of separate memorandum, Phillips to Mr. Leavitt, captioned as above and dated 3/10/76.

RECOMMENDATIONS:

None. For record purposes.

EX-115 REC-38 *62-116375-1489*

MAR 16 1976

Attachment

RLS/pcn
(8)

ENCLOSURE

Jam
Jet
5-H&C
PVD/JDM
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FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

March 9, 1976

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

#MDE/6
**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/2/00 BY SP-2 ALM/STG**

Dear Mike:

During the week of March 1-5, 1976, Mr. Robert Shackelford and other officials of the FBI Intelligence Division reviewed a draft portion of the Select Committee's final report on domestic intelligence. This portion of the report included the following:

- II. The Growth of Domestic Intelligence: 1936 to Date
 - B. The Establishment of a Permanent Domestic Intelligence Structure: 1936-1945
 - C. Domestic Intelligence in the Cold War Era: 1946-1963.

This letter is to confirm that John Elliff was assured by Mr. Shackelford that the FBI has no objection on security grounds to the publication of this report. If any changes are made in the substance of this portion of the report, it will be resubmitted prior to publication.

Thanks very much for your help throughout the inquiry into this subject.

Sincerely,

F A O S

Frederick A. O. Schwarz, Jr.
Chief Counsel

cc: Mr. Paul Daly
Mr. Robert Shackelford —

ENCLOSURE

62-116395-1489

REPRODUCED FROM THE ORIGINAL
FILED IN THE OFFICE OF THE
SECRETARY OF THE INTERIOR
WASHINGTON, D.C. 20548

62-116395- 1488
CHANGED TO
62-116464- 317

MAR 22 1976

CONS. / *Hand.*

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FORM IS UNCLASSIFIED
DATE 11-2-00 BY SP2 ALM/ATG

MAR 10 1976

TELETYPE

REC-38

NR11 SD PLAIN

11:30 AM MARCH 10, 1976 URGENT PGH

TO: DIRECTOR, FBI

FROM: SAC, SAN DIEGO

SENSTUDY '75.

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	<input checked="" type="checkbox"/>
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

#moe 16
ALL INFORMATION CONTAINED
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DATE 11-2-00 BY SP2 JEM/MS

Peters

REBUTELCALLS BETWEEN INSPECTOR HOMER BOYNTON TO ASAC BARGER, SD, MARCH NINE AND MARCH TEN INSTANT.

ON MARCH NINE LAST DIRECTOR KELLEY HELD A PRESS CONFERENCE IN SAN DIEGO ATTENDED BY TELEVISION, RADIO AND NEWSPAPERMEN, AMONG WHOM WAS PATRICK DILLON, SAN DIEGO UNION. CONFERENCE WAS HELD BETWEEN TWO AND TWO THIRTY FIVE P.M., PACIFIC STANDARD TIME (PST).

AT APPROXIMATELY FOUR THIRTY P.M., PST, MARCH NINE, LAST, PATRICK DILLON CALLED THE SD OFFICE REQUESTING TO SPEAK DIRECTLY WITH DIRECTOR KELLEY. HE WAS INFORMED THE DIRECTOR WAS NOT AVAILABLE AND THAT ANY MATTER HE WISHED TO DISCUSS WITH THE DIRECTOR COULD BE HANDLED BY ASAC BARGER. AT THAT POINT HE ASKED THAT A RESPONSE TO THE FOLLOWING QUESTION BE OBTAINED, EITHER DENIAL, AFFIRMATION OR ANY ELABORATION THE DIRECTOR WISHED TO MAKE: "DOES THE DIRECTOR HAVE ANY INFORMATION THAT THE FBI, AFTER WORLD WAR II, WAS INFILTRATED BY HOSTILE FOREIGN INTELLIGENCE". HE HAVE NO

5

EX-115

REC-38

62-116395-1487

62-116395
5 - PHILLIPS
(Signature)

84 MAR 22 1976

PAGE TWO

BACKGROUND CONCERNING THIS INQUIRY AND THIS QUESTION WAS IMMEDIATELY RELAYED TO DIRECTOR KELLEY. ADVICE WAS RECEIVED FROM DIRECTOR KELLEY THAT HE HAD JUST TALKED WITH INSPECTOR BOYNTON, EXTERNAL AFFAIRS, CONCERNING SIMILAR INQUIRY RECEIVED FROM CREWDSON OF THE NEW YORK TIMES AND DIRECTOR ASKED THAT SIMILAR RESPONSE AS GIVEN TO CREWDSON BE FURNISHED TO DILLON. AFTER DISCUSSING THIS WITH INSPECTOR BOYNTON, ASAC BARGER FURNISHED THE FOLLOWING TO PATRICK DILLON IN RESPONSE TO HIS INQUIRY, "THE FBI WAS AWARE OF ATTEMPTS TO INFILTRATE THE BUREAU IN RECENT YEARS. HOWEVER, WE HAVE CONDUCTED EXHAUSTIVE INVESTIGATIONS AND THOSE INVESTIGATIONS HAVE NOT DISCLOSED EVIDENCE OF ANY SUCCESSFUL RECRUITING OR OPERATION OF AN EMPLOYEE OF THE FBI BY ANY FOREIGN INTELLIGENCE AGENCIES."

IN RESPONSE TO SD INQUIRY, DILLON ADVISED THAT HIS INQUIRY WAS BASED ON INFORMATION HE HAD RECEIVED FROM A VERY RELIABLE SOURCE WHICH HE DECLINED TO IDENTIFY, THAT A FORMER AGENT IN WAHSINGTON SOMETIME AFTER NINETEEN SIXTY HAD BEEN INVESTIGATED AS POSSIBLY BEING RECRUITED BY THE KGB. THE AGENT APPARENTLY HAD AMASSED A SIZEABLE DEBT AND HAD DEFINITELY BEEN CONTACTED BY THE KGB. FURTHER THAT BALTIMORE UNDERCOVER AGENTS HAD HIM UNDER SURVEILLANCE WHEN HE

END PAGE TWO

PAGE THREE

SENSTUDY * 75

MADE A TELEPHONE CALL. HE WAS OBSERVED TO LET THE PHONE RING, BUT ONCE AND THEN WAITED FOR A CALL BACK. AFTER A LENGTHY CONVERSATION, THE AGENT WAS TAKEN TO THE FBI WHERE HE WAS GIVEN A POLYGRAPH WHICH WAS INCONCLUSIVE AND HE WAS ALLOWED TO RESIGN.

DILLON SAID THAT THERE WAS ALLEGEDLY ANOTHER INCIDENT WHICH TOOK PLACE IN NEW YORK, BUT HE DID NOT HAVE ANY DETAILS ON IT.

SD UNION CARRIED A FRONT PAGE ARTICLE IN THE MARCH TEN INSTANT EDITION (HOME EDITION), UNDER THE BYLINE OF CREWDSON, NEW YORK TIMES NEWS SERVICE, CAPTIONED "SPY HUNT INSIDE FBI IS HINTED". A FACSIMILE OF THIS ARTICLE IS BEING FURNISHED THE BUREAU TODAY TO THE ATTENTION OF INTELLIGENCE AND EXTERNAL AFFAIRS DIVISIONS.

NO FURTHER ACTION BEING TAKEN BY SAN DIEGO IN THIS MATTER.

END

FCD FBIHQ

"TREAT AS CRIMINAL"

FD-448 (10-25-71)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Transmit attached by Facsimile - PLAINTEXT

Priority URGENT

MAR 10 1976

TELETYPE

Date: 3/10/76

Time Transmitted -

Received -

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

To: DIRECTOR, FBI

From: SAC, SAN DIEGO

Subject: SENSTUDY '75

- Fingerprint Photo
- Fingerprint Record
- Map
- Newspaper clipping
- Photograph
- Artists Conception
- Other _____
- (6 min)
- (4 min)

Special handling instructions:

ATTN: Intelligence and External Affairs Division

Approved: B

Ret...

5

REC-38 62-116375-1486

MAR 13 1976

5
1-105027

#MDR16
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DATE 11-2-00 BY SP2 ALM/...

62-116375
5- P...
(...)

84 MAR 23 1976

MAR 23 11 29 AM '76
RECEIVED
INTELLIGENCE DIV.

MAR 17 3 04 PM '76
RECEIVED
INTELLIGENCE DIV.

RECEIVED
ASSISTANT DIRECTOR
INTELLIGENCE DIV.
MAR 23 11 57 AM 1976

Spy Hunt Inside FBI Is Hinted

Ex-Intelligence Agent Refers To Penetration

By JOHN M. CREWSON
New York Times News Service

WASHINGTON — The FBI may have been penetrated by hostile foreign intelligence agencies on at least three occasions since the end of World War II, according to a former intelligence official who says he has direct knowledge of all three incidents.

The evidence in each case, which involved bureau agents in New York, Washington and another undisclosed American city, was entirely circumstantial, the former official said, and no criminal charges ever were brought.

But in one case, he said, the conclusion that an agent assigned to the bureau's Washington field office had become a paid Soviet spy was virtually inescapable, even though the man broke off his alleged relationship with Soviet intelligence after he became aware of an internal FBI investigation of his activities.

ATTEMPTS CONFIRMED

(FBI Director Clarence Kelley, interviewed in San Diego at a conference of police chiefs, confirmed last night that the FBI was aware of attempts to infiltrate the bureau in recent years.

"However, we have conducted exhaustive investigations and those investigations have not disclosed evidence of any successful recruiting or operation of an employe of the FBI by any foreign intelligence agencies," Kelley said in a statement read by an FBI spokesman.

(The same statement was issued by the FBI in Washington.)

DECLINE COMMENT

Both the FBI and the Central Intelligence Agency have declined repeatedly to discuss the subject of possible penetrations of their organizations by double agents, a matter to which they accord the highest sensitivity and one that neither the Senate nor House intelligence committees has attempted to examine.

Penetrations of the Soviet K. G. and virtually all of the European and Western intelligence services have been documented over the years, but there has never been any specific public allegation of a successful penetration of the CIA or, apart from the

(Continued on A-1, Col. 1)

(Continued from Page A-1)
former official's assertions of the FBI.

However, Anatoli Golitsin, a Soviet KGB major who defected to the United States in 1951, is reported to have told American and British counterintelligence officials that such penetrations had occurred.

CRITICISM TOLD

According to one official who said he was present at that meeting, Golitsin advised the group that the British service and the CIA were sick, having been penetrated, and that the FBI was going.

Golitsin reportedly did not elaborate on that occasion on his remark about the FBI, but the former American intelligence official described the circumstances of the purported Soviet penetration of the bureau's Washington field office, a unit set up apart from FBI headquarters here to handle federal investigations in this city.

The bureau's suspicions were first aroused, in the early 1950s, the former official said, when three top secret documents were discovered to be missing from the field office's files.

OFFER REPORTED

Their whereabouts remained unknown, he said, until a Soviet official somewhere in the world approached an American naval attache and offered to sell him the three documents for \$10,000.

That was the first indication, the former official said, that the missing papers had fallen into Soviet hands.

(Indicate page, name of newspaper, city and state.)

Page A-1

SAN DIEGO UNION
San Diego
California

#mdr/6
US INFORMATION COLLECTION
ACTIVITY
DATE 11-2-00 BY SP-2 MJK/18

Date: 3/10/76
Edition: Home Edition
Author: John Crewson
Editor: Gerald Morris
Title:

Character:
or
Classification:
Submitting Office: San Diego

Being Investigated

62-116395

148

cc - Esp. Affairs

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

March 9, 1976

Michael E. Shaheen, Jr., Esq.
Office of Professional Responsibility
U.S. Department of Justice (Room 4313)
Washington, D.C. 20530

Sensitivity

#mDP16
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP2 ALM/216

Dear Mike:

On March 8, 1976 Mr. Homer Newman of the FBI reviewed for security problems an insert captioned Case No. 11 to the Select Committee's draft report entitled "The Use of Informants in FBI Domestic Intelligence Investigations." (Previously, as set out in Steve Blackhurst's letter dated March 2, 1976, the Department of Justice cleared the above referenced report with respect to security matters.)

After reviewing the proposed insert, Mr. Newman stated that no problem was raised with respect to security. This letter is intended to confirm the fact that unless I receive word to the contrary from you, the Department of Justice has no objection to the publication of the above referenced report including the insert reviewed on March 8 by Mr. Newman.

Thanks very much for your help throughout on this matter.

Sincerely,

AGS

EX-115

Frederick A. O. Schwarz, Jr.
Chief Counsel

cc: ✓ Paul Daly, FBI

REC-38

62-116395-1485

7 MAR 18 1976

[Handwritten signature]

MAR 22 1976

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN

PHILIP B. HART, MICH. HOWARD H. BAKER, JR., TENN.
WALTER F. MONDALE, MINN. BARRY GOLDWATER, ARIZ.
WALTER D. HUDDLESTON, KY. CHARLES MC C. MATHIAS, JR., MD.
ROBERT MORGAN, N.C. RICHARD S. SCHWEIKER, PA.
GARY HART, COLO.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

March 9, 1976

#m0216
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP2 ALM/TK

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mike:

Sensitivity

During the week of March 1-5, 1976, Mr. Robert Shackleford and other officials of the FBI Intelligence Division reviewed a draft portion of the Select Committee's final report on domestic intelligence. This portion of the report included the following:

- II. The Growth of Domestic Intelligence: 1936 to Date
 - B. The Establishment of a Permanent Domestic Intelligence Structure: 1936-1945
 - C. Domestic Intelligence in the Cold War Era: 1946-1963.

S

This letter is to confirm that John Elliff was assured by Mr. Shackleford that the FBI has no objection on security grounds to the publication of this report. If any changes are made in the substance of this portion of the report, it will be resubmitted prior to publication.

Thanks very much for your help throughout the inquiry into this subject.

EX-115

REC-38

62-116395-1484

Sincerely,

F.A.O.S. MAR 18 1976

Frederick A. O. Schwarz, Jr.
Chief Counsel

cc: Mr. Paul Daly ✓
Mr. Robert Shackleford

5-8

1cc Mr. Shackleford and Mr. Elliff 3/12/76 JDM/epk

84 MAR 22 1976

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams
FROM : Legal Counsel
SUBJECT: SENSTUDY

DATE: 3-9-76

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/2/00 BY SP-2 A/M/1/16

At approximately 5:00 p.m. on 3-8-76, John Elliff, Domestic Task Force Director of the Senate Select Committee, advised Inspector John B. Hotis that the final report released earlier that afternoon by the Senate Select Committee contained information that was not cleared by the Bureau for publication. He said that Volume 2, Page 270, of the hearings on the Huston Plan set forth the names of individuals and organizations that were the subjects of 13 telephone surveillances and one microphone surveillance. The report also included memoranda containing the names or initials of FBI personnel who had reviewed or approved the surveillances. Among the subjects identified were the Black Panther Party, the CPUSA, the Jewish Defense League, Huey Newton, and two women who were active in the New Left.

Elliff said he had given explicit instructions that this information was to be excised before publication and did not know why it was included in the final report. He said that 30 copies of the report had already been distributed to members of the press, and it was not likely they could be recalled. He also felt that any attempt to have the documents returned would draw the press's attention to the problem. Elliff said he regretted the oversight but did not think there was anything further that could be done about the disclosures.

RECOMMENDATION:

For information.

- 1 - Mr. Leavitt
- 1 - Mr. Mintz
- 1 - Mr. Phillips
- 1 - Mr. Daly
- 1 - Mr. Hotis

JBH:dkg (7)

EX-115

62-116393-1483

6 MAR 16 1976

ADDENDUM - CONTINUED - OVER

84 MAR 22 1976

Memorandum to Mr. Adams
Re: SENSTUDY

ADDENDUM BY LEGAL COUNSEL, 3/9/76, JAM:mfd *mfd*

Inspector Hotis advised me of the above information immediately after receiving it from John Elliff. I instructed him to advise the Intelligence Division while I alerted Mr. Adams to the problem. Mr. Adams instructed that copies of the materials released by the Committee should be made available to the Intelligence Division as soon as possible in order that they could be reviewed to determine whether any other materials were improperly included. I instructed SA John Dennis Miller to obtain additional copies of the materials and provide them to the Intelligence Division on the evening of March 8, 1976, and he did so. I advised Assistant Director Leavitt of Mr. Adams' instructions and requested him to have the materials reviewed appropriately.

TWL

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per

[Handwritten initials]

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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 3/9/76

FROM : Legal Counsel

SUBJECT: SENSTUDY 75

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

Reference is made to memorandum Mr. F. J. Cassidy to Mr. Leavitt dated 3/9/76, which outlined various problems and apparent slanted writing in the Senate Select Committee's COINTELPRO report.

On 3/4/76, during a discussion concerning another matter, SA Paul V. Daly of this Division mentioned to Domestic Task Force Director John T. Elliff that there were apparent problems regarding that Committee's report on COINTELPRO. It was pointed out that the Bureau representatives who had reviewed the report felt there were statements taken out of context and that in general it was a highly critical report of this Bureau. Elliff stated that a decision had been made by F. A. O. Schwartz, Chief Counsel, and Curtis Smothers, Minority Counsel, that they would highlight the actions taken in COINTELPRO and not describe or characterize the victims or objects of COINTELPRO activities. They felt that it was the actions that were wrong regardless of the target.

It was pointed out to Elliff that in order to get a true picture of the activities in COINTELPRO it was less than fair to isolate the acts from the context in which the activities were committed. He reiterated this was a decision of Smothers and Schwartz and that there was no question in his mind that this was a report that "zapped" the Bureau. He indicated he would bring the observations of the Agents that had reviewed the report and the observations of SA Daly to the attention of his superiors.

RECOMMENDATION:

For information.

- 1 - Mr. Mintz
- 1 - Mr. Leavitt
- 1 - Mr. Phillips
- 1 - Mr. Daly

PVD:lad LAD

(6)

84 MAR 22 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-8-00 BY SP-2/AM/BJW

EX-115 REC-38 62-116395-1482 7 MAR 18 1976

[Handwritten signatures and initials: S. J. [unclear], J. [unclear], PVD, J. [unclear], J. [unclear], J. [unclear]]

[Faint, illegible stamp]

62-116395-1481
CHANGED TO
62-116464-316

MAR 22 1976

CONS/Mynd.

#MDR16
ALL INFORMATION CONTAINED ON THIS
FORM
IS UNCLASSIFIED
DATE 11-1-00 BY SP2 ALM/LSB

- 2 - Mr. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt
- 1 - Mr. P. E. Nugent
- 2 - Mr. S. F. Phillips

The Attorney General

March 5, 1976

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

#MDP/16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-1-00 BY SP7 ALM/16

By letter dated December 18, 1975, Item 6, the SSC requested access to FBI materials relating to Martin Luther King, Jr., the Poor People's Campaign and the Sanitation Workers Strike, Memphis, Tennessee, from January 1 to April 4, 1968. FBI letters and memoranda dated January 27 and February 16, 1976, effected responses to this request. After SSC access was accomplished, its representative orally requested delivery of certain designated documents which he had reviewed.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum effecting delivery to the SSC of the desired documents.

Also enclosed for your records is a copy of the memorandum. It should be noted that you were previously furnished by our January 27 and February 16, 1976, correspondence copies of all the documents to which access was being granted to the SSC. 62-116395-1480

Enclosures (2)

EX-115 REC-38

MAR 18 1976

CONFIDENTIAL MATERIAL ATTACHED

62-116395

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

SFP:1hb/1hb
(10)

ENCLOSURE

TO BE HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS

MAIL ROOM TELETYPE UNIT

84 MAR 22 1976

- 2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt
- 1 - Mr. P. E. Nugent
- 2 - Mr. S. F. Phillips

62-116395

March 5, 1976

**U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

Reference is made to SSC letter dated December 18, 1975, Item 6, which requested access to FBI materials relating to Martin Luther King, Jr., the Poor People's Campaign and the Sanitation Workers Strike, Memphis, Tennessee, from January 1 to April 4, 1968.

By memoranda dated January 27 and February 16, 1976, the SSC was advised of the availability of the desired materials for review by its Staff. Subsequently, SSC Staff Member Michael Epstein reviewed the materials and designated certain of the documents which he orally requested be delivered to the SSC.

Being delivered with this memorandum are the materials so designated by Epstein.

1 - The Attorney General

SFP:1hb | hb
(9)

ORIGINAL AND ONE COPY TO AG

#NDE16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/12/00 BY SP-2A mtl/16

NOTE:

Sets of the specific documents being delivered are being retained with the Senstudy 75 Project.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

CONFIDENTIAL MATERIAL ATTACHED

62-116395-1182/34
Pun

MAIL ROOM TELETYPE UNIT

ENCLOSURE

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE

LTR LHM Memo Report dated 3/5/76

Caption of Document: U.S. Senate Select Committee (SSC)
(SSC Letter 12/18/76, Item 6)

King

Originating Office: FBI

Delivered by: D. J. Cowe Date: 3-9-76

Received by: Dan McLochle

Title: clerk

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/21/00 BY SP2 ALM/TJG #MDR/6

TO: Intelligence Community Staff
 ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

2. DATE PROVIDED
3/5/76

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

SSC

HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum and enclosures

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 12/18/75 for access and subsequent oral request for delivery (Item 6).

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

C

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

**Information handling
 Operating procedures**

8. SUMMARY (see reverse side before completing this item)

Materials concerning Martin Luther King, Jr.

#m DR16
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/2/00 BY SP-2ALM/AG

62-116395

SJM:1hb Original Via Liaison To Central Community Index
 (4) In Connection With Senstudy 75.

TREAT AS YELLOW

5-mjg

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

SSC REQUEST 12-18-75

Item 6

mdr/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP2 ALM/HG

Reference FBI Memo 2-16-76

For Retention

62-116375-1180

ENCLOSURE

FBI

Date: 3/29/68

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Transmit the following in PLAINTEXT
(Type in plaintext or code)

Via TELETYPE URGENT
(Priority)

TO: DIRECTOR, FBI AND SACS ATLANTA
MEMPHIS

FROM: SAC, WFO (157-1395)

WASHINGTON SPRING PROJECT.

ON FRIDAY, MARCH TWENTYNINE INSTANT SCLC, WDC CALLED A PRESS CONFERENCE FOR THREETHIRTY PM THAT DATE. CONFERENCE PRESIDED OVER BY REV. ANDREW J. YOUNG, WHO WAS THE PRIMARY CONFEREE. ALSO PRESENT WAS REV. FAUNTROY AND AN UNIDENTIFIED AND UNADDRESSED NEGRO MALE. YOUNG STATED THAT HE HAD RECENTLY SPOKEN TO MARTIN LUTHER KING AND THERE HAVE BEEN NO CHANGES MADE CONCERNING THE WASHINGTON SPRING PROJECT, AS A RESULT OF RECENT VIOLENCE IN MEMPHIS IN CONJUNCTION WITH NEGRO PROTEST. YOUNG SAID SCLC ACCEPTED PORTION OF BLAME FOR NOT RECOGNIZING THE POTENTIAL THREAT OF THE "INVADERS" TO MAKE A DELIBERATE ATTEMPT TO EMBARRASS THE LOCAL LEADERS. YOUNG ATTRIBUTED THE ERROR TO

- 2 - Bureau
- 2 - Teletype Unit
- 2 - WFO

REO:tab
(6)

REC-15/57 - 8428-482

EX-116

5 APR 2 1968

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/2/00 BY SP-8 ALM/116

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

This document is prepared in response to your request and is not for dissemination outside your Commission. Its use is limited to official proceedings by your Commission and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Handwritten notes:
11 G...
Do nothing
Direct

F B I

Date:

Transmit the following in _____
(Type in plaintext or code)Via _____
(Priority)

WFO 157-1395

PAGE TWO

NOT SUPPLYING ADEQUATE STAFF AND INSTRUCTION PRIOR TO THE DEMONSTRATION. YOUNG STATED THIS WILL NOT OCCUR IN WDC.

YOUNG STATED GUILT OF MEMPHIS PD EVIDENT AND MOST SERIOUS SINCE GROUP OF TWENTY TO THIRTY INSTIGATORS OF VIOLENCE NOT ATTACKED DIRECTLY. MEMPHIS PD ATTACKED THE ENTIRE MARCHING BODY OF TWENTY THOUSAND PEOPLE.

THE WASHINGTON SPRING PROJECT WILL COMMENCE AS PLANNED ON APRIL TWENTYTWO, WHEN MARTIN LUTHER KING WILL COME TO WDC WITH A "SMALL GROUP" AND PRESENT PETITIONS TO CONGRESS AND GOVERNMENT AGENCIES RE THE PLIGHT OF THE POOR. A GROUP OF THREE THOUSAND POOR, ORGANIZED INTO GROUPS OF TWO HUNDRED, WITH EACH SUCH GROUP PROVIDED WITH TWENTY MARSHALS WHO WILL WEAR DISTINCTIVE ARM BANDS, WILL DEPART FIFTEEN CITIES AND SOUTHERN RURAL AREAS ON APRIL TWENTYFIVE NEXT. DEPENDING ON CIRCUMSTANCES IN DIFFERENT LOCALITIES, GROUPS SHOULD ARRIVE WDC MAY ONE TO THREE NEXT. POOR TO COME FROM CHICAGO, DETROIT, PITTSBURGH, BOSTON, NEW YORK,

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

F B I

Date:

Transmit the following in _____
(Type in plaintext or code)Via _____
(Priority)WFO 157-1395
PAGE THREE

NEWARK, PHILADELPHIA AND BALTIMORE AMONG OTHERS, AS WELL AS FROM SIX RURAL AREAS OF THE SOUTH IN MISSISSIPPI, LOUISIANA, GEORGIA, ALABAMA, NORTH AND SOUTH CAROLINA.

REV. YOUNG STATED THAT MARTIN LUTHER KING HAD SPOKEN TODAY TO MEMBERS OF THE INVADER GROUP WHICH CAUSED THE TROUBLE IN MEMPHIS, AND DESCRIBED THEM AS "HOSTILE KIDS". YOUNG SAID HE WILL GO TO ATLANTA TOMORROW FOR ADDITIONAL PLANNING SESSIONS AND THAT MARTIN LUTHER KING WILL BE IN WDC THIS SUNDAY AND GIVE A SERMON, CONTEXT UNKNOWN, AT THE WASHINGTON NATIONAL CATHEDRAL.

YOUNG QUERIED IF SCLC WILL DEFY A COURT INJUNCTION RUMORED TO BE FAVORED BY SEN. BYRD OF WEST VIRGINIA, TO STOP THE MARCH. YOUNG STATED IT DEPENDS ON WORDING OF INJUNCTION AND HOPED COURTS WILL NOT RESPOND TO "FASCIST PROPOSALS OF SOME MEMBERS OF CONGRESS". YOUNG STATED THE FINAL EVIDENCE WILL REVEAL THAT THE MOST SERIOUS VIOLENCE IN MEMPHIS WAS CAUSED BY THE POLICE. YOUNG STATED HE HAS SPOKEN WITH WDC SAFETY DIRECTOR MURPHY AND FOUND HIM AN

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

F B I

Date:

Transmit the following in _____
(Type in plaintext or code)Via _____
(Priority)WFO 157-1395
PAGE FOUR

INTELLIGENT LAW ENFORCEMENT OFFICER, HOPES MPD WILL BE SAME, BUT THAT IS PD PROBLEM. YOUNG ADDED REGARDING RACIAL MILITANTS, THAT HE CANNOT BE RESPONSIBLE FOR ANY VIOLENCE BROUGHT ABOUT BY OTHERS, AND HAS NOT AND DOES NOT EXPECT TO RECEIVE A GUARANTEE FROM STOKELY CARMICHAEL AGAINST RACIAL VIOLENCE.

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

Memorandum

- Tolson _____
- DeLoach _____
- Mohr _____
- Bishop _____
- Casper _____
- Callahan _____
- Conrad _____
- Felt _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

TO : Mr. W. C. Sullivan

DATE: March 28, 1968

FROM : Mr. G. C. Moore

SUBJECT: SANITATION WORKERS' STRIKE
MEMPHIS, TENNESSEE
RACIAL MATTER

#moe16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-1-00 BY SP-2 *[Signature]*

G. Moore

Negro sanitation workers have been on strike at Memphis, Tennessee. Martin Luther King, Jr., President of the Southern Christian Leadership Conference, has previously been in Memphis and had called for a general strike and a mass march.

At 12:40 P.M. today ASAC C. O. Halter telephonically advised that the scheduled march started about 11:00 A. M., Central Standard Time. He stated that King was present and that an estimated 5,000 to 6,000 people were taking part. The march had proceeded only a few blocks when the marchers started breaking windows in business stores and establishments and some looting was taking place although he did not know the amount. The window breaking and disturbance has spread over into a white neighborhood and is continuing.

ASAC Halter advised that the above is the only information available at the time and that he would keep the Bureau currently advised of developments.

ACTION:

The above information has been furnished to the Inter-Division Information Unit and the military. This matter will be followed closely.

5- [Signature]

PLC:ekw
(8)

REC-59 *157-9146-40*

- 1 - Mr. DeLoach
- 1 - Mr. W. C. Sullivan
- 1 - Mr. Bishop
- 1 - Mr. G. C. Moore
- 1 - Mr. D. J. Brennan
- 1 - Mr. Cox
- 1 - Mr. Trainor

PKC

6 APR 5 1968

T. [Signature]
D. [Signature]
DeLoach

CONTINUED - OVER

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

106301083

Memorandum to Mr. W. C. Sullivan
RE: SANITATION WORKERS' STRIKE, MEMPHIS, TENNESSEE

ADDENDUM:

At 1:05 P.M. ASAC Halter telephonically advised he had now received information that King did not walk in the march but was in an automobile at the head of it. However, he left the march very shortly after it started when the trouble began and Negroes began shouting, "Black Power." Halter advised that there was considerable looting on Main and Beale Streets. The police used gas to break up the march and at the time of his call the situation was fairly well under control although the Negroes were dispersing into other areas of Memphis. He advised that the National Guard had been called and the Memphis Unit would be activated, in about two hours. The Jackson, Tennessee, Unit will be activated in about six hours. Halter said he had no information as to the extent of injuries at this time.

The above information has also been furnished to the Department and the military.

PKC

W.C.V.

✓

D

D



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Los Angeles, California
March 26, 1968

#mOR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP-2 ALM/LLK

WASHINGTON SPRING PROJECT
RACIAL MATTER

Dr. Martin Luther King, Jr., Southern Christian Leadership Conference, has publicly announced that he will conduct a massive civil disobedience campaign in the Nation's Capitol during April, 1968 in an effort to pressure Congress into passing legislation favorable to the Negro.

Sources who have furnished reliable information in the past, advised during the week of March 19, 1968 - March 25, 1968, that they had no information concerning the participation by individuals from the Los Angeles area in the Washington Spring Project.

The attached pages set forth more detailed data relative to this project.

This document is prepared for your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

157 74 28- 473
REV. 1-20-61

WASHINGTON SPRING PROJECT
RACIAL MATTER,

Reporting office	Los Angeles
Names of individuals recruiting in the district	None
Address of headquarters	None
Known number of individuals recruited to date	None
Known names of individuals recruited	None
Estimated number of individuals recruited	None
Number of buses and other commercial type of transportation chartered and capacity	None
Number of private cars to participate	None
Identity of driver, make, model, and license number of cars to participate	None
Route cars scheduled to use	Not applicable
Area buses and drivers are to discharge passengers upon arrival in Washington, D. C.	Not applicable
Address demonstrators are to report to upon arrival	Not applicable

Remarks:

The "Herald Examiner", a daily newspaper published in Los Angeles, California, in its issue of March 19, 1968, carried an article which indicated that the organizers of "Dr. King's Poor People's Campaign" stated that Dr. King plans to build a

WASHINGTON SPRING PROJECT
RACIAL MATTER

slowly intensifying confrontation between the Federal Government and a minimum of 3,000 poor people. Tactics will mainly be sit-ins and marches which will be put into play over a period of weeks and not all at once. As of April 22, 1968, Dr. King and up to 100 other civil rights and Negro community leaders from around the country will start visiting congressional leaders, heads of Government departments and agencies, "presenting to them the demands of the campaign and asking them to take action. Several days later, after nothing has been done, they will probably pick one office and refuse to leave. When they are arrested, the poor people across the country will be mobilized and begin to come in caravans."

The article indicated that well before the April 22nd starting date, work was expected to start on a "New City of Hope" with tents or temporary buildings set up on a 30 acre site and supplied with electricity, sewer lines, an outdoor theater, kitchens and parking.

The article indicated that if still nothing is done by the Federal Government, then acts of "moral disobedience" will begin.

The "People's World" issue of March 23, 1968, carried an article which indicated that Dr. King spoke before 150 Negro church leaders at the Elks Club on Central Avenue, Los Angeles, California on March 16, 1968. Dr. King urged the ministers to begin now to organize for mass outpourings of people from their congregations to join the demonstration.

The "People's World" is a West Coast communist newspaper which is published weekly in San Francisco, California.

The same issue of the "People's World" also carried an article which indicated that the massive demonstration in Washington beginning on April 22, 1968, will be a "black-brown thing". This was disclosed at the California Democratic Council Convention which was held in Anaheim, California on the weekend of March 16 - 17, 1968, by Dr. Martin Luther King, the initiator of the Washington demonstration and Rodolfo (Corky) Gonzales,

WASHINGTON SPRING PROJECT
RACIAL MATTER

Mexican-American leader from Denver, Colorado. Gonzales was among some ten leaders from major Spanish speaking communities who met with Dr. King and his staff in Atlanta, Georgia on March 7, 1968 to participate in planning the Washington demonstration. With Gonzales, militant leader of the Crusade for Justice and editor of "El Gallo" were: Reies Tijerina, leader of the Alianza land grant movement centered in New Mexico; Abed Lopez, of the Chicago Latin American Defense Organization, which is composed of a militant group of Mexican-Americans and Puerto Ricans; Angel Gutierrez, a leader of the San Antonio, Texas barrio; and Bert Corona, California State Chairman of the Mexican-American Political Association. The article also indicated that representatives were present at this meeting from the Bishop's Committee for the Spanish Speaking, and Mexican-American and Puerto Rican leaders from Ohio, Michigan and Illinois.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FBI

Date: 3/21/68

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

Transmit the following in _____

Via AIRTEL

Handwritten: Type in plaintext or code)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 11/20/00 BY SP2 [Signature] (Priority)

TO: DIRECTOR, FBI (157-8428)

FROM: SAC, DETROIT (157-2007)

SUBJECT: WASHINGTON SPRING PROJECT
RM

Re Detroit teletype to Bureau and Atlanta dated 3/20/68.

Source utilized in LHM was a telephonic pretext conducted by SA JOHN E. KING with FRANK DITTO at his place of employment, 10833 Mack Avenue, Detroit, Mich. Pretext utilized was that of a local white businessman with the fictitious name of G. L. WHYTE, who was in complete sympathy of MARTIN LUTHER KING, JR., and with his Washington "camp-in." DITTO was advised that the caller, under no circumstances, wanted his identity disclosed and any financial assistance offered this project was to be on a strictly confidential basis. He was told that the caller had colored employees in his company and would make these people available to participate for a brief period in the Washington Spring Project at the caller's expense.

Further, that it was conceivable the caller would be in a position to help out with the financial end of individuals from Detroit in connection with the Washington Spring Project. DITTO sounded favorably impressed and stated that he fully understood and appreciated the efforts of the caller to assist in this matter. DITTO reassured that no mention would be made of any donations from this source. He expressed a deep feeling of gratitude

- 3 - Bureau (Enc. 11) (RM)
- 2 - Atlanta (Enc. 2) (RM)
- 4 - Detroit (1 - 100-34590) (FRANK DITTO)
- JEK/msl (1 - 100-31418) (MARTIN LUTHER KING)
- (9)

AGENCY: ACSI, GSI-SEC. SER:

C. C. - Fishon

Approved: _____

Special Agent in Charge

Sent _____ M

Per _____

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and its content may not be disclosed to unauthorized persons without the express approval of the FBI.

Handwritten: we

Handwritten: G.C. [Signature]

Handwritten: D. [Signature]

157-8428-4710
 MAR 28 1968

Handwritten: 5 - [Signature]

DE 157-2007

and described the caller as one "deeply concerned with the under privileged group of humanity." It was mentioned to DITTO the caller did not want to be publicly identified as it could possibly render harm to his business and bring about retaliatory action from the white extremists involving possible physical harm to his wife and family.

It was at this point that DITTO volunteered the information set out in instant LHM. He offered to furnish the caller with further information regarding Washington Spring Project after his meeting with KING.

Prior to terminating the interview, it was established that DITTO would be telephonically contacted by the caller following his scheduled conference with KING in Detroit. It is the opinion of the contacting Agent that if KING actually comes to Detroit on 4/4/68, that this return telephonic recontact with DITTO would be productive and pertinent data regarding Washington Spring Project could be obtained from him.

The LHM is classified confidential so as not to disclose the use of this technique from which further valuable information could be obtained.



~~CONFIDENTIAL~~
UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Detroit, Michigan

March 21, 1968

In Reply, Please Refer to
File No.

Re: Washington Spring Project.

#mde16
SP-7 ALM/JTG
11-2-00

Martin Luther King, Jr., President, Southern Christian Leadership Conference (SCLC), has publicly announced he will conduct a massive civil disobedience campaign in the nation's Capitol the first week of April, 1968, in an effort to pressure Congress into passing legislation favorable to the Negro.

Frank Ditto has reportedly been identified as the Detroit leader and organizer for the above mentioned activity in the Detroit area.

Frank Ditto is employed as Director of the East Side Voice of Independent Detroit (ESVID), 10833 Mack Avenue, Detroit, Michigan.

ESVID in a pamphlet published by this organization described itself as an organization of an interested group of businessmen, church associations, community leaders, welfare recipients, home owners, renters, youth in and out of school, the unemployed, and the under employed. ESVID reportedly receives its financial backing by a local organization known as the Churches on the East Side for Social Action (CESSA).

CESSA is an organization formed by various churches of all denominations on the lower east side of Detroit, the purpose of which is to attempt to alleviate some of the alleged injustices suffered by members of the Negro community in the area over a period of years. CESSA attempts to assist Negroes in securing better housing, equal employment opportunities, and to educate these individuals so that they can become more useful members of society.

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions

~~CONFIDENTIAL~~

Group 1
Excluded from automatic
downgrading and
declassification.

~~CONFIDENTIAL~~

Re: Washington Spring Project

A source, who has furnished reliable information in the past, advised on March 20, 1968, that Frank Ditto, Detroit area organizer for the Washington Spring Project (WSP) stated that no action had thus far been taken in Detroit regarding WSP. Source stated Ditto said the program for the WSP was too vague at this stage, resulting in the reason for no organized activity. Source further stated that Ditto advised that Martin Luther King, Jr., would be in Detroit, purpose unknown, and location unknown, on April 4, 1968, at which time he, Ditto, would meet with King to formulate plans for Detroit area activity in connection with the WSP.

This document contains neither recommendations nor conclusions of the Federal Bureau of Investigation. It is the property of the Federal Bureau of Investigation and is loaned to your agency; it and its contents are not to be distributed outside your agency.

- 2* -

~~CONFIDENTIAL~~

3/21/68

CODED

TELETYPE

URGENT

- 1 - Mr. W. C. Sullivan
- 1 - Mr. G. C. Moore
- 1 - Mr. T. J. Deakin

TO SACS ATLANTA
 BALTIMORE
 BIRMINGHAM
 BOSTON
 CHARLOTTE
 CINCINNATI
 CLEVELAND
 COLUMBIA
 DETROIT
 JACKSON
 LOUISVILLE
 MILWAUKEE
 MOBILE
 NEW YORK
 PHILADELPHIA
 PITTSBURGH
 RICHMOND
 WFO

PERSONAL ATTENTION
ALL OFFICES

#MOR16
 11/2/00 SP2AM/116

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VIA TELETYPE
 MAR 21 1968
 12:45 CMA
 ENCIPHERED

G

FROM DIRECTOR FBI (100-448936)

MARTIN LUTHER KING, RACIAL INTELLIGENCE.

REFERENCE IS MADE TO TELEPHONE CONVERSATIONS WITH EACH SAC DURING THE PAST WEEK GIVING INSTRUCTIONS CONCERNING MARTIN LUTHER KING'S WASHINGTON SPRING PROJECT. THIS IS TO PERSONALLY URGE EACH SAC TO DO EVERYTHING POSSIBLE IN CARRYING

REC-106 100-105670-3251
 MAR 22 1968

OUT THE INSTRUCTIONS GIVEN YOU IN REFERENCED TELEPHONE CALLS AND TO CARRY OUT THESE INSTRUCTIONS AS SOON AS POSSIBLE.

NOTE: Martin Luther King's Washington Spring Project is scheduled to begin the end of April, 1968; and instructions

- Tolson
 - DeLoach
 - Mohr
 - Bishop
 - Casper
 - Callahan
 - Conrad
 - Felt
 - Gale
 - Rosen
 - Sullivan
 - Tavel
 - Trotter
 - Tele. Room
 - Holmes
 - Gandy
- MAIL ROOM TELETYPE UNIT

NOTE CONTINUED PAGE TWO

Teletype to Atlanta
Martin Luther King
100-448006

NOTE CONTINUED:

have been issued the above offices telephonically concerning the discharge of our responsibilities in connection with this march. This is to insure each of the above SACs discharges his responsibilities in this matter.

APR 5 11 05 AM '68

FBI
REC'D



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Louisville, Kentucky
March 12, 1968

In Reply, Please Refer to
File No.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/126

FMOR16

WASHINGTON SPRING PROJECT
RACIAL MATTERS

Martin Luther King, Jr., President, Southern Christian Leadership Conference, has publicly announced he will conduct a massive civil disobedience campaign in the Nation's Capitol the first week of April, 1968, in an effort to pressure Congress into passing legislation favorable to the Negro.

Racial sources of the Louisville Office of the Federal Bureau of Investigation have advised that they have received no information that recruiting activity in Louisville, Kentucky, with respect to the captioned Project has commenced, with the exception that one meeting regarding the matter was held in Louisville at the Antioch Baptist Church, Louisville, Kentucky on March 1, 1968. With respect to the meeting, the Courier-Journal, a daily Louisville, Kentucky newspaper, in its issue of March 2, 1968, reported that about 70 persons were present and heard Benjamin Van Clark report that Dr. Martin Luther King was currently meeting with his top Southern Christian Leadership Conference (SCLC) advisors to determine strategy for the campaign. Van Clark said that they were going to ask each community to form a support committee, made up of a cross-section of the community, which committee would raise money for the Spring Project and prepare local demonstrations in support of both poor Negroes and poor whites.

The article also stated that Rev. A.D. Williams King, pastor of the Zion Baptist Church, 2200 West Walnut Street, Louisville, Kentucky, brother of Dr. Martin Luther King, had said at the meeting that the present plans called for 200 Kentuckians to go to Washington to participate in the Spring Project.

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ENCLOSURE

157-8428-365

WASHINGTON SPRING PROJECT

Reporting Office: Louisville, Kentucky

Names of individuals recruiting in your district: No information developed to date.

Address of Headquarters: None as yet.

Known number of individuals recruited to date: No pertinent information developed.

Known names of individuals recruited: None.

Estimated number of individuals recruited: No pertinent information developed to date.

Number of buses and other commercial type transportation chartered and total capacity: No pertinent information developed to date.

Number of private cars to participate: No pertinent information developed as yet.

Identity of driver; make, model, and license numbers of cars to participate: No pertinent information developed to date.

Route cars are scheduled to use: No pertinent data developed as yet.

Areas buses and drivers are to discharge passengers upon arrival in Washington, D.C.: No pertinent data as yet developed.

Address demonstrators are to report to upon arrival: No pertinent data as yet developed.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
Charlotte, North Carolina
March 12, 1968

In Reply, Please Refer to
File No.

WASHINGTON SPRING PROJECT
RACIAL MATTERS

#MDR/S
DATE 11-1-00 SP2ALMB/6

MARTIN LUTHER KING, JR., president, Southern Christian Leadership Conference (SCLC), has publicly announced he will conduct a massive civil disobedience campaign in the Nation's Capitol the first week of April, 1968, in an effort to pressure Congress into passing legislation favorable to the Negro.

On March 5, 1968, GOLDEN ASRO FRINKS, Field Secretary, SCLC, was interviewed by Agent of the FBI at his residence 122 West Peterson Street, Edenton, North Carolina. FRINKS said that he is pleased with the progress that Congress is making with the proposed civil rights legislation, but he said that even if legislation is passed, this will not change SCLC's plans for a march on Washington, D. C. FRINKS pointed out that Dr. MARTIN LUTHER KING has not spelled out his demands as yet and that they will include much more than just a housing law. He suggested that one of the demands might be that all persons are assured a minimum income which would be paid by the Federal government. His concept of this plan would be that the number of days per year an individual is employed by private industry would be subtracted from the total in the year and then the government would pay the balance. He said that it would be the government's responsibility to provide the work they wish these individuals to do, even if it be only menial labor. He said that it would also be the government's responsibility to enforce this plan to insure that the persons are actually doing the work.

With regard to the march, he said that he has 21 paid employees working for him throughout the State of North Carolina. He said that these individuals are not being paid a salary but subsistence only. He said that these people were unemployed and that they had nothing else to do, therefore they were willing to work on that basis. FRINKS advised he would provide the names of the 21 paid employees in about one week. He said he did not have their names at the time of interview.

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NOR CONCLUSIONS OF THE FBI. IT IS THE PROPERTY
OF THE FBI AND IS LOANED TO YOUR AGENCY; IT AND
ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE
YOUR AGENCY.

157-8428-356

ENCLOSURE

This document is prepared in response to your request and is not for dissemination outside your Commission. Its use is limited to official proceedings by your Commission and the contents may not be disclosed to unauthorized personnel without the express approval of the FBI.

RE: WASHINGTON SPRING PROJECT

FRINKS said that these 21 persons are recruiting others to go to Washington, D. C., for the march and act as squad leaders, guides, etc. for the masses who will follow. He said that his paid employees have a goal of 200 such persons and that 155 have already been recruited. After the recruitment drive is complete, only a few of the 21 will remain on the payroll.

FRINKS said that he and his group of about 200 will leave North Carolina on April 15 or 16, with a planned arrival in Washington, D. C., on April 22, 1968. Concerning transportation, he said that the means of transportation has not yet been worked out. He said he has given consideration to buying old busses or cars, but the busses especially do not seem to be available. FRINKS said there has been a suggestion to drive to a distance of 100 miles south of Washington and then walk the rest of the way. There has also been the suggestion to walk the entire way. FRINKS said he personally prefers to go by bus or car if possible, stopping in the small towns en route. He hopes to set up tents at night along the way. He mentioned the town of Suffolk, Virginia, as a possible first night stop. He commented that he also hopes to set up tents in Washington, but he feels that they will be prohibited from doing this.

Upon arrival at Washington, D. C., FRINKS believes that Dr. KING will be there to meet them. Shortly after their arrival, he believes that KING will make his demands and then call all Negroes to Washington who have grievances. The hard core group of squad leaders and guides will be stationed at the entrances to the city and at the Federal buildings and direct each incoming group to the office building that should best be able to handle their particular grievance. FRINKS estimated that the demonstrations in Washington will last about three weeks.

FRINKS advised that he and Dr. KING are very much concerned about STOKLEY CARMICHAEL and the Student Nonviolent Coordinating Committee (SNCC) trying to interfere or take over once the Negroes are in Washington. He said CARMICHAEL's presence represents violence and the communist influence in the civil rights movement. He said Dr. KING spoke with CARMICHAEL during the last week in February and has a promise from him that he will not interfere with the plans of SCLC. FRINKS advised that KING plans additional talks with CARMICHAEL. FRINKS said if he does come, "we will bust his head."

RE: WASHINGTON SPRING PROJECT

FRINKS said that his headquarters for this march is at his residence or at his office located above the Credit Union Building, 405 Broad Street, Edenton, North Carolina.

He pointed out that he is still working for Dr. REGINALD HAWKINS in support of his campaign for governor. He said that he is finishing a seven weeks leave of absence, but believes that this will be extended for an additional seven weeks. He said the campaign is badly in need of money; however, there are many more supporters than originally expected. He mentioned that his telephone bill for his residence telephone was over \$1,000, and that it has been disconnected.

It was observed that FRINKS was driving a light blue recent model Dodge, four-door, bearing 1968 North Carolina License TJ-123 and a plastic sign on both front doors which reads, " HAWKINS FOR GOVERNOR, Candidate for Hope and Progress."



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Miami, Florida
February 23, 1968

MDR/6

11/100 SP-2 ALM 7/278

RE: WASHINGTON SPRING PROJECT

Reference is made to communication from this Bureau on February 21, 1968.

Inspector OWEN W. DAVIS, Metropolitan Police Department, Washington, D. C., presently on assignment in Miami, Florida, reported on February 22, 1968, that the Ministers Leadership Training Program continues along guidelines previously set out with little or no discussion relating to the Washington Spring Project.

On February 21, 1968, the Miami Office of the Federal Bureau of Investigation received an anonymous telephone call from a male who inquired if the Federal Bureau of Investigation was aware that MARTIN LUTHER KING was in Miami, Florida. The caller stated he intended to kill KING and would like to bomb KING's room at the Sheraton-Four Ambassadors Hotel, Miami, Florida, but feared injuring other people.

Sergeant JOHN WEAVER, Miami, Florida, Police Department, on duty at the Sheraton-Four Ambassadors Hotel, reported on the evening of February 21, 1968, that the switchboard operator in the hotel received a similar anonymous call shortly before 8:00 PM on February 21, 1968. The caller made reference to a German lugar that he wanted to kill MARTIN LUTHER KING with and/or blow up the hotel.

On February 21, 1968, BOB ASHAUER, Chief Security Officer, Sheraton-Four Ambassadors Hotel, tentatively identified hotel guest HAROLD CHARLES MALCHMAN from Hyannis, Massachusetts, as possibly being responsible for the anonymous call, however, on February 23, 1968, ASHAUER advised that MALCHMAN had been eliminated as being responsible for the anonymous calls threatening MARTIN LUTHER KING, JR.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

RE: WASHINGTON SPRING PROJECT

On February 22, 1968, Lieutenant HARVERT SWILLEY, Intelligence Unit, Miami, Florida, Police Department, advised that he attended a meeting at the DuPont Plaza Hotel, Miami, Florida, on February 22, 1968. At this meeting, Dr. MARTIN LUTHER KING, JR., addressed a group of local citizens. KING stated that they are planning to take three to four thousand poor people from various sections of the United States to Washington, D. C., and will stay in Washington until something is done for these people. In this regard, KING stated that his organization, Southern Christian Leadership Conference (SCLC), has the support of some white groups, which he declined to identify.

Inspector OWEN W. DAVIS and Detective SILAS VAUGHN, Metropolitan Police Department, Washington, D. C., advised on February 23, 1968, that they have attended the majority of the general meetings excluding the individual workshop type meetings, which are confined to the convention delegates.

They advised the general theme of the convention was along the guidelines of instructing the delegates in ways and means of reaching the people in the ghettos in their particular communities.

They advised the delegates were of variant opinions as to the methods to be used in the civil rights movement in that some were favoring the strictly non-violent approach as opposed to a few who were desirous of a more militant approach.

They advised it appeared to them that some members of SCLC in attendance were attempting to gain support for the Washington Spring Project. They stated that some of the Washington, D. C., ministers in attendance at the convention gave their reluctant approval to the Washington Spring Project, providing that the project would be approached in a non-violent manner.

They further advised that it was their impression that possibly two thousand people from fifteen of the country's major cities would participate in the Washington Spring Project and every effort would be made to confine the project to a non-violent theme.

RE: WASHINGTON SPRING PROJECT

They stated it was their observation that the general feeling of the delegates in attendance at the convention was opposed to STOKELY CARMICHAEL and the militancy that CARMICHAEL advocates.

They advised that the convention is being concluded February 23, 1968, with the last general meeting being held in which MARTIN LUTHER KING will be the key speaker.

They advised that the majority of the delegates will be returning to their respective communities February 23, 1968, and February 24, 1968.

Copies of this memorandum are being disseminated to the United States Secret Service, Miami; United States Attorney, Miami; 111th M. I. Group, Miami and Orlando, Florida; OSI, Robins Air Force Base, Georgia; and NISO, Charleston, South Carolina.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

3*

FBI

Date: 2/20/68

Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (157-8428)

FROM: SAC, WFO (157-1395)

WASHINGTON SPRING PROJECT
RACIAL MATTER

#MDR16
1/11/00 SP2ALM/216
J. Rosen
D. Quinn

ReBuairtel 2/15/68, requesting interview of General DEL MAR.

Enclosed for the Bureau are 11 copies of an LHM containing interview of DEL MAR by SA JOSEPH E. KELLER.

General DEL MAR advised he was formerly with G2 at the Pentagon; that he still maintains contact there now with Miss DOROTHY MATLACK, a G2 chief. He furnished her the information set forth in LHM. In talking with General DEL MAR, he advised the language in reBuairtel with reference to "if the demands of KING are not met within one week, KING's group plans to 'burn Washington'; further that KING has not wanted to go along with H. RAP BROWN but if he does not get his way, he will join forces with BROWN for all out violence in the United States" was given to Miss MATLACK in error and did ^{not} come from the person referred in LHM. General DEL MAR stated due to the lapse of time he was confused and now recalls he obtained these comments elsewhere perhaps from some press reports. For the reasons stated, this information was not included in LHM.

Regarding the source of General DEL MAR's at Howard University, who informed him that STOKELY CARMICHAEL visits Howard University every day, organizing students, this person

3 - Bureau (Enc. 11)
1 - WFO

FEB 29 1968

JEK:dgp
(4)

C. C. Bishop

AGENCY: ACST, OSI; SEC. SER:

ISD, CRD, RAO

AIRTEL

DATE FORW: 2/27/68

HOW FORW: [Handwritten initials]

BY: PHW/ci

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

100 RT4411 806 900

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WFO 157-1395

10

is Professor BARBARA GORDON, a white teacher of Latin History at Howard University. General DEL MAR advised Mrs. GORDON is a highly nervous person who talks constantly. He stated he would be inclined not to place much credence in what she says. This latter information was for the reason stated not included in LHM.

LHM being disseminated locally to Secret Service, AUSA and military intelligence agencies.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 2-16-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

#mde/16
11-2-00 SP2 ALM/JTG

Pages S1319-S1319. Senator Byrd, (D) West Virginia, requested to have printed in the Record two articles dealing with the April march on Washington planned by Martin Luther King. The articles are entitled "King's Plan To Protest Is Decried" from the Washington Post and "King To Meet With Mayor On Big March—Fauntroy Says Plan For Jobs Campaign Will be Presented" from the Washington Evening Star.

Original file

100-106670-

NOT RECORDED

57 MAR 14 1968

32/13

In the original of a memorandum captioned and dated as above, the Congressional Record for 2-16-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

79 MAR 15 1968

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: Feb 9, 1968

FROM : N. P. Callahan

SUBJECT: The Congressional Record

#MOR16
11-2-00 SP2 ALM KFB

ORIGINAL FILED IN 100-106670-3234

Pages S1106-S1107. Senator Holland, (D) Florida, spoke concerning the proposed march on Washington sponsored by Martin Luther King to take place in April. He included an article from the Washington Post entitled "King Keys His Tactics to Response by Hill." Mr. Holland stated "I believe it is high time that those in official positions in Washington publicly state the laws that would govern the proposed march on Washington, - - - - .

It is inviting trouble to allow such plans to proceed without informing Dr. King of the laws that exist as well as letting him know that all necessary steps will be taken to prevent disruption of the daily working of the Government and the people of this metropolitan area."

Pages S1200-S1201. Senator Byrd, (D) West Virginia, requested to have printed in the Record an article from the Washington Post entitled "King Keys His Tactics to Response by Hill." The article advised that King "pledged that his April poor people's campaign will begin as a peaceful and law-abiding demonstration and will 'escalate to disruptive protest' only if Congress doesn't help the poor."

100-106670
NOT RECORDED
145 FEB 19 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for Feb 5, 1968 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

1 - G. C. Moore
(Attn.: Rushing)

Tolson	_____
DeLoach	_____
Mohr	_____
Bishop	_____
Casper	_____
Callahan	_____
Conrad	_____
Felt	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. D. J. Brennan, Jr. *MB*

DATE: 2/8/68

FROM : P. D. Putnam *PDP*

1 - Liaison
1 - P. D. Putnam

SUBJECT: MARTIN LUTHER KING
SECURITY MATTER - SOUTHERN CHRISTIAN
LEADERSHIP CONFERENCE

#index
SEARCHED
INDEXED
11-100
SP2ALM/AG
G.C. Moore

On 2/6/68 Mrs. Dorothe Matlack, Office of the Assistant Chief of Staff for Intelligence, Department of the Army, advised that on 2/5/68 Major General Roland del Mar (U.S. Army, retired), who resides at 520 N Street, Southwest, Apartment S-231, Washington, D.C., and whose telephone number is 554-7473, furnished the following information:

General del Mar said that he has been furnished information by a professional associate, whom he described as a "friendly enemy" and with whom he maintains an armed truce. This associate, whom the General declined to identify except to indicate that he is a fellow member of the Council on Foreign Relations Study Group on U.S. Policy in the Caribbean, has informed the General that when Martin Luther King leads the April march in Washington, he plans to rally on the steps of the U.S. Supreme Court under the "Equal Justice for All" engraving. According to General del Mar's source, there is a law which forbids this; therefore, King's group hopes to be arrested.

The source advised that at the rally King will be making demands for legislative action, giving Congress one week to pass certain legislation. The source quoted King as saying that, "The Negroes are tired of Congress resting on its dignity." According to the source, if the demands of King's group are not satisfied within one week, they plan to "burn Washington." The source further said that King has not really felt that he wanted to go along with H. "Rap" Brown but that if King does not get his legislative demands in April, he intends to join forces with those of Brown for all-out violence in the United States.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

PDP:kw
(4)

XEROX
FEB 15 1968

CONTINUED - OVER

REC-42

EX-110

100
4 FEB 16 1968

D. Wells
RACIAL INT. SECT.

57 FEB 27 1968

Memorandum to Mr. W. C. Sullivan
RE: MARTIN LUTHER KING

Another of General del Mar's sources, a female professor at Howard University here in Washington, said that Stokely Carmichael visits Howard University every day organizing the students. This second source said that Carmichael's organizing is growing rapidly and this is of great concern to the professor.

This matter has been discussed with the Racial Intelligence Section and we have received similar information from other sources with the exception of the element of "burning Washington."

ACTION:

For information.

mad

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 2-8-68

FROM : N. P. Callahan

OWASO WASH DC SPRING PROJECT

SUBJECT: The Congressional Record

Pages H892-H893. Congressman Selden, (D) Alabama, advised that he had written to Attorney General Clark asking that he initiate steps to seek an injunction against Martin Luther King and other organizers of the planned demonstration in April in Washington, D. C. He stated "I did this because public statements by the march organizers stated that they are 'willing if necessary to fill up the jails of Washington and surrounding communities.' I told the Attorney General that such statements indicated that the organizers of the demonstration contemplated illegal activities and actions during the march which could disrupt peace and order in our Nation's Capital." Mr. Selden placed in the Record the reply he received from Deputy Attorney General Warren Christopher and a letter he sent to Mr. Christopher as a result of the reply. Mr. Christopher pointed out in his letter that the Justice Department was endeavoring to keep itself fully informed concerning the April activity and considering various measures that might be taken to deal with such contingencies as may arise. Mr. Selden pointed out in his letter to Mr. Christopher that as a result of King's activities the Justice Department should act now rather than later.

-2-

Pages S1022-S1023. Senator Byrd, (D) West Virginia, placed in the Record an editorial from the Washington Post entitled "The Spring Campaign" and recommended its reading by the Members of the Senate. He stated "I expect to have more to say, and perhaps considerably more to say, at the appropriate time with reference to the spring campaign of Dr. Martin Luther King."

Original filed in: 16. 1771. 3002

36

A HE

#mdel6

111100 SP2 ALM

157-8425

NOT RECORDED
FEB 19 1968

54 FEB 27 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for ... was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

- Tolson _____
- DeLoach _____
- Mohr _____
- Bishop _____
- Casper _____
- Callahan _____
- Conrad _____
- Felt _____
- Gale _____
- Rosen _____
- Sullivan
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

- 1 - Mr. DeLoach
 - 1 - Mr. Sullivan
 - 1 - Mr. Bishop
- DATE: February 2, 1968
- 1 - Mr. D. J. Brennan
 - 1 - Mr. G. C. Moore
 - 1 - Mr. Wells

TO : Mr. W. C. Sullivan

FROM : G. C. Moore *GCM*

SUBJECT: WASHINGTON SPRING PROJECT
RACIAL MATTERS

#mpe16
157-8428-48
11-1-00 SP2ALM/116

By memorandum dated 1/22/68 it was suggested that an informal meeting be held in Mr. Sullivan's office with Major General Carl C. Turner, the Provost Marshal General, United States Army, and Chief of Police John B. Layton, Washington, D. C., to discuss possible problems of mutual interest that might develop when Martin Luther King, Jr., holds his massive civil disobedience campaign this spring called "Washington Spring Project." The Director stated: "I do not think it would be desirable at this time."

Recent information indicates King is proceeding determinedly with his plan to close down Washington, D. C., this spring. A Chicago source has furnished information indicating King's group would attempt to close down the Greyhound Bus Depot during these demonstrations by lying down in front of buses and also blocking entrances and exits.

We received information from Washington Field Office today that Assistant Attorney General Fred M. Vinson, Jr., held a meeting in his office yesterday afternoon with representatives from Secret Service, Metropolitan Police Department, and the Army to discuss plans for the "Washington Spring Project." It was indicated that the Department expects to coordinate all law enforcement agencies as they attempted to do at the October 21, 1967, demonstration at the Pentagon.

In view of the Army's over-all responsibility in racial disturbances and riots coupled with Chief Layton's responsibility for the safety of the city, it is recommended that an informal meeting with General Turner and Chief Layton

157-8428
Enclosure
TDR:llr/bff
(7)

↓ ↓
CONTINUED - OVER

SAC

79 FEB 7 1968

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the extent may not be disclosed to unauthorized personnel without the express approval of the FBI.

Memorandum to Mr. W. C. Sullivan
RE: WASHINGTON SPRING PROJECT

be held in the Domestic Intelligence Division with Mr. Sullivan and one or two of his key men with responsibilities in this field. This meeting would be held for the purpose of insuring that all channels of communications are open.

RECOMMENDATION:

That Chief Layton and General Turner be invited verbally through Liaison to meet in Mr. Sullivan's office in the near future.

PR *ged* *W.C.S.*
This meeting is not for the purpose of the FBI telling local authorities what action to take. It is for the purpose of taking leadership in the field of offering valuable intelligence.
MM

This meeting is not for the purpose of the FBI telling local authorities what action to take. It is for the purpose of taking leadership in the field of offering valuable intelligence.

D.

- 2 -

I am opposed:
the Dept has
taken this over
↑ 2/5
I concur.
bl

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (157-8428)

DATE: 1/31/68

FROM : SAC, CHARLOTTE (157-5541) (P)

SUBJECT: WASHINGTON SPRING PROJECT
RACIAL MATTERS

#m dr 16

11-1-00 SP-2 ALM 1/16

Re Charlotte airtels to Bureau 1/12/68
and 1/19/68.

Enclosed for the Bureau are eight copies
and for each recipient office, one copy, of LHM.
Since this information was obtained as a result
of a pretext interview, care should be used in
its dissemination.

The interview was conducted by SA's MARK
K. GASS, JR. and CHARLES A. MC DOUGAL. Also present
during the interview was NORMAN L. BRINKLEY,
206 N. Moseler St., Edenton, N. C., who identified
himself as the president of the NAACP chapter in
Edenton, N. C. Both of these individuals were cordial
to the interviewing Agents and neither was reluctant
to speak concerning activities of the civil rights
movement. FRINKS was interviewed on the pretext of
ascertaining the progress made in the area of civil
rights in North Carolina.

- ENCLOSURE**
- ② - Bureau (Encs. 8) (RM)
 - 1 - Baltimore (Enc. 1) (Info) (RM)
 - 1 - Boston (Enc. 1) (Info) (RM)
 - 1 - Chicago (Enc. 1) (Info) (RM)
 - 1 - Columbia (Enc. 1) (Info) (RM)
 - 1 - WFO (Enc. 1) (Info) (RM)
 - 6 - Charlotte (2 - 157-5541)
 - (1 - 100-10173) (COMINFIL)
 - (1 - 157-5267) (FRINKS)
 - (1 - 157-2149) (HAWKINS)
 - (1 - 157-1631) (JONES)

REC-58

7-242-47

3 FEB 2 1968

WJM:jlb
(13)

Dept of Interior by Liaison
2/3/68
AGENCY: ACSI, OSI, SEC. SERV.,
DEPT. ISD, CRD, RAO, IDIU

HOW FORW: RS
DATE FORW: FEB 13 1968

50 FEB 2 1968

RACIAL INT. SECT.

1cc walls
206 14D

This document is prepared in response to your request and is not for dissemination outside your Commission. It is not to be used in any proceedings by your Commission and the contents may not be disclosed to unauthorized personnel without the express approval of the FBI.

January 23, 1968

AIRTEL

- 1 - Mr. G. C. Moore
- (Field Guidance Folder)
- 1 - Mr. Rushing (Field
- Guidance Folder)
- 1 - Mr. Wells

To: SAC, WFO

From: Director, FBI (157-8428)

FMDP/6
 11-1-00 SP2 AM/18

WASHINGTON SPRING PROJECT
RACIAL MATTER

PERSONAL ATTENTION

ReBulet 1/4/68 and ATteletype to Bureau and WFO
1/18/68.

Martin Luther King, Jr., President, Southern Christian Leadership Conference, has announced that he will come to Washington, D. C., April 1, 1968, to conduct demonstrations and massive civil disobediences in an effort to spur Congress into passing legislation favorable to Negroes. King envisions the closing of all business in Washington, D. C., by these demonstrations.

157-8428-85

You should immediately establish close personal liaison with Chief of Police John B. Layton, Washington, D. C., Police Department, concerning this matter. The pertinent details of the above-referenced Atlanta teletype, suitably paraphrased to protect the source, should be verbally furnished Chief Layton. You should also personally brief him concerning the information your office has previously furnished his department in this regard.

REC 30

In addition, you should establish a log and record every item of information you disseminate to Chief Layton in this case as well as all racial cases. This

JAN 23 1968

DMW:ekw
(6)

EX 101

SEE NOTE PAGE TWO

DMW
PK

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

JAN 23 1968
COMM-FIN

JAN 26 1968

Airtel to SAC, WFO
WASHINGTON SPRING PROJECT
157-8428

log should also list when you furnish information to Chief Layton verbally. However, be certain that a separate list is maintained depicting the number of items furnished him and his department relating to this case.

Of course, your briefing and the furnishing of data to Chief Layton in no way changes existing procedures of furnishing information concerning the Washington Spring Project to the police through current channels as you are now doing. Also, you should continue to disseminate to other local police authorities as required by the nature of the information developed.

This matter should receive your close personal attention to assure our responsibilities are met.

NOTE:

The above supplements instructions previously furnished WFO concerning the massive civil disobediences that King will conduct in Washington this Spring.

FBI

Date: 1/15/68

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL REGISTERED MAIL
(Priority)

TO: DIRECTOR, FBI
FROM: SAC, CLEVELAND (157-1304) (P)
RE: WASHINGTON SPRING PROJECT
RACIAL MATTER

mde/16
11-100-SP2 ALM/716

Re Cleveland airtel to Bureau, 1/5/68, captioned "COMINFIL SCLC, IS - C"; and Buairtel dated 1/4/68.

Referenced Cleveland airtel pointed out that Rev. MARTIN LUTHER KING was to give a talk at Ohio Northern University, Ada, Ohio, on 1/11/68, from 10:30 AM to 11:30 AM, and following the speech, he was scheduled to be in New York at 4:00 PM, 1/11/68.

It is noted that the above speech was given prior publicity at Ada, Ohio, and as a result some unknown subject sent a letter to the President of Ohio Northern University on 1/10/68, threatening the University President's life if anything happened to the sender's daughter during school hours while Rev. KING was at Ohio Northern; in addition, the University President received a post card on 1/10/68, which indicated KING must die if he came to Ada, Ohio, which was signed "K.K.C."; lastly, the Ada, Ohio Police Department also received a post card on 1/10/68, which mentioned that if Rev. KING came to town, he could only leave one way -- dead. Cleveland has conducted investigation in this extortion case, although no suspects were developed, and has submitted teletypes to the Bureau under the caption "UNSUB; Dr. SAMUEL L

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

- 3 - Bureau (RM)
- 3 - Atlanta (RM)
 - (1 - 100-5718) (COMINFIL SCLC)
 - (1 -) (MARTIN LUTHER KING)
- 2 - New York (RM)
 - (1 -) (MARTIN LUTHER KING)
- Cleveland
 - (1 - 100-26792) (COMINFIL SCLC)
 - (1 - 157-293) (MARTIN LUTHER KING)
 - (1 - 9-1868)

ST. 114

REC 157-8428-6

2 JAN 17 1968

EAS/lmg
Approved: (12)

Special Agent in Charge

Sent _____ M Per _____

CV 157-1304

MEYER - VICTIM; Ada, Ohio Police Department - VICTIM, EXTORTION - RACIAL MATTER."

PARK ELWOOD, Chief of Police, Ada, Ohio, advised SA STEPHEN FUNDERBURK on 1/12/68, that he learned that Dr. JAMES UDY, Ohio Northern University, Ada, Ohio, who was in charge of the program featuring Rev. MARTIN LUTHER KING at Ohio Northern University, chartered a plane from Lima, Ohio, to pick up Rev. KING at Cleveland, Ohio, at 7:30 AM, 1/11/68. Rev. KING then gave his talk at Ohio Northern University from approximately 10:30 AM to 11:30 AM, at the University gym, which was attended by 2200 people plus 500 more who listened over the public address system at the University Auditorium. Rev. KING in his talk discussed poverty, housing for Negroes, Negro unemployment, rat control, etc.; KING suggested and condoned civil disobedience to bring about better conditions for Negroes. KING made reference to a recent statement of ADAM CLAYTON POWELL that Rev. KING advocated violence at this time and KING denied that this was so, as he does not condone violence in the civil rights movement.

Further along in his talk Rev. KING mentioned that his group was planning massive demonstrations in Washington, D. C., and five other major cities, including Cleveland, in the Spring and Summer of 1968, to get action to aid Negroes in the United States; KING gave no details of this project.

According to Chief ELWOOD, there were no problems, incidents, etc. in connection with Rev. KING's visit to Ada, Ohio, and KING departed that city during the early afternoon of 1/11/68, for Cleveland, Ohio, and New York City.

Cleveland sources could not furnish any information that Rev. KING spent any time in the Cleveland area on either 1/10 or 11/68, nor have they seen any indication that there has been any planning or activity in Cleveland on Rev. KING's Washington Spring Project.

Cleveland will continue to follow this matter closely and will keep the Bureau and interested agencies advised of pertinent developments.

Copies of this airtel are furnished to Atlanta as that office is origin in the Cominfil of the SCLC and

CV 157-1304

MARTIN LUTHER KING cases; copies are furnished to New York
as KING was to visit that city on 1/11/68.

UNITED STATES GOVERNMENT

Memorandum

Tolson	_____
DeLoach	_____
Mohr	_____
Bishop	_____
Casper	_____
Callahan	_____
Conrad	_____
Felt	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. W. C. Sullivan *WCS*

DATE: January 22, 1968

FROM : Mr. G. C. Moore

SUBJECT: MARTIN LUTHER KING, JR.
SECURITY MATTER - COMMUNIST

mdf 16
 11-1-00
 SP-2 ALM/TK
go

Recently, Martin Luther King, Jr., President, Southern Christian Leadership Conference, has announced he will recruit 3,000 people to come to Washington, D. C., in the Spring of 1968, to demonstrate and create massive civil disobedience. According to our sources, these demonstrators will be instructed not to obey injunctions or other legal deterrents. King envisions that these demonstrations will tie up all business in Washington, D. C.

It is felt that it would be desirable to invite Chief of Police John B. Layton and Major General Carl C. Turner, The Provost Marshal General, United States Army, to Mr. Sullivan's office for an informal meeting to discuss possible problems of mutual interest that might develop during these demonstrations.

RECOMMENDATION:

That Chief Layton and General Turner be invited verbally through Liaison to meet in Mr. Sullivan's office in the near future.

DMW 2nr/smd *pmc*
(6)

- 1 - Mr. DeLoach
- 1 - Mr. W. C. Sullivan
- 1 - Mr. Bishop
- 1 - Mr. G. C. Moore
- 1 - Mr. D. M. Wells

REC 11

ST-110

This is good initiative.

D.

JAN 30 1968

FEB 7 1968

FEB 6 1968

This document is prepared in response to your request and is not for dissemination outside your Committee. It is not to be disclosed to official proceedings by you or your staff and the contents are not to be disclosed to unauthorized personnel without the express approval of the FBI.

I do not think it would be desirable at this time.

5.4A

Memorandum

DeLoach	✓
Mohr	✓
Bishop	✓
Casper	
Callahan	
Conrad	
Felt	✓
Gale	✓
Rosen	✓
Sullivan	
Tavel	
Trotter	
Tele. Room	
Holmes	
Gandy	

TO : Mr. Bishop

DATE: 1-17-68

FROM : M. A. Jones

SUBJECT: MARTIN LUTHER KING, JR.
SECURITY MATTER - C

#MDR/6
11-1-00
SP2 Km/176.6
L/b
Rodriguez
10

Donald F. O'Donnell, Chief Counsel of the Senate Permanent Subcommittee on Investigations (chaired by Senator John L. McClellan) which currently is conducting the hearings concerning riots and civil disorders, has requested information concerning the demonstration being planned by Martin Luther King, Jr., in Washington this spring. King has publicly stated that he intends to conduct massive civil disobedience in Washington this year unless specific demands for congressional action to solve the problems of poor Negroes are met.

Enclosed is a brief summary of pertinent information concerning King's plans for this event. The information contained therein is of a public source nature.

In addition to furnishing the enclosed write-up to O'Donnell, it is felt we should keep the leadership in the House of Representatives and the Senate advised of pertinent developments concerning these demonstrations insofar as that they might affect the Congress. Hence, it is believed a copy of the enclosed write-up should be furnished to Speaker of the House McCormack and Senate Majority Leader Mansfield for their information.

RECOMMENDATION:

That the enclosed write-up be approved and returned to the Crime Records Division so that a copy can be furnished to O'Donnell, Speaker of the House McCormack and Senator Mansfield.

- Enclosure ✓
- 1 - Mr. DeLoach - Enclosure
 - 1 - Mr. Bishop - Enclosure
 - 1 - Mr. Sullivan - Enclosure

DWB:nls (8)
XEROX

51 FEB 20 1968

REC 13
100-1-
WES
Believed to O'Donnell
By Jucig, sec. to Speaker McCormack
and Mike Seaberg, Act to
Senator Mansfield, 1-19-68
4 FEB 1 1968
CRIME RECORDS DIV

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is restricted to official proceedings by your Committee and the contents may not be disclosed to unauthorized personnel without the express approval of the FBI.

UNRECORDED COPY FILED IN 100-1-176.6

January 4, 1968

Airtel

1 - Mr. D. M. Wells

#MDR/6

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-1-00 BY SP-2 HUN/jk

To: SACs, Atlanta Los Angeles
 Baltimore Louisville
 Birmingham Milwaukee
 Boston Mobile
 Charlotte Newark
 Chicago New York
 Cincinnati Philadelphia
 Cleveland Pittsburgh
 Columbia Richmond
 Detroit WFO
 Jackson

11

~~off~~

98: 10 10 11 11 11

From: Director, FBI

WASHINGTON SPRING PROJECT
RACIAL MATTER

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

ReBuairtel 12/7/67, ATairtel 12/22/67 and CGairtel 12/28/67, all captioned "Communist Infiltration, Southern Christian Leadership Conference."

For the benefit of those offices that did not receive all the above-referenced communications, Martin Luther King, Jr., President, Southern Christian Leadership Conference (SCLC), has since August, 1967, threatened to conduct massive civil disobedience in the Nation's Capital and major cities throughout the country in an effort to get Congressional action to help the plight of the Negro. At the moment the current plans are to present a petition to the Secretary of Labor in early Spring, 1968, making specific demands for Congressional action. A massive demonstration

MAILED 2
JAN 4 1968
COMM-FBI

DMW:ekw
(44)

MCT-44 REC-54-57-8428

SEE NOTE PAGE THREE JAN 5 1968

260 we 25

James [Signature]

CPA

907W 16 1968

- Tolson _____
- DeLoach _____
- Mohr _____
- Bishop _____
- Casper _____
- Callahan _____
- Conrad _____
- Felt _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

184-10068

Airtel to SAC, Atlanta, et al.
WASHINGTON SPRING PROJECT

will be triggered if these requests do not receive unequivocal commitment for prompt Congressional action. If an effort is made to stop the Washington, D. C., demonstrations, simultaneous demonstrations will commence in 15 other major cities throughout the United States.

In the interim SCLC will assign one or more staff members to Washington, D. C., and other cities to select and train leaders for these demonstrations. It is King's desire to train approximately 200 leaders in each of these cities who in turn will recruit individuals to participate in these proposed civil disobediences. The above-referenced Atlanta airtel sets forth the name of the cities involved and, where known, the identity of individuals who will participate in this regard.

In view of the above, recipient offices are to advise the appropriate local authorities of these current plans of SCLC. At that time, close liaison should be established with these agencies so that any information in this regard received by them will be immediately furnished your office.

In addition, you should alert your ghetto informants to this matter and instruct them to immediately advise you of the activities of the SCLC representatives in your division. If you do not have ghetto informants or sources in your division that can furnish this type of information, you should immediately take steps to remedy this undesirable situation.

Recently, King has announced to SCLC staff members that this new activity will be called "Washington Spring Project." Each recipient office should open a case captioned as above. You are instructed to submit weekly airtels starting January 12, 1968, setting forth results

Airtel to SAC, Atlanta, et al.
WASHINGTON SPRING PROJECT

of investigation and informant coverage being afforded this matter. Any information developed in this regard should be immediately transmitted to the Bureau by airtel in a form suitable for dissemination. Accordingly, those offices that have been submitting weekly airtels under Cominfil SCLC caption should discontinue using that caption and submit weekly airtels in this case.

In addition, you should open a separate case on each individual leader assigned to your area and conduct a discreet investigation to develop background information. This should be submitted to the Bureau in a form suitable for dissemination together with recommendations for additional investigation to be conducted. The activities of these individuals should be closely followed to determine whether or not they fit the criteria of the Rabble Rouser Index. If so, you should submit appropriate recommendations to the Bureau.

As new leaders are identified in this movement, you should follow the above outlined procedure. However, do not initiate investigations on rank and file members who will participate in this project on that basis only.

NOTE:

Previous instructions have been submitted to some of the above offices concerning this matter. Since King has named this program the "Washington Spring Project" we are setting forth instructions to the field to investigate this movement since it may trigger riots and disorders throughout the United States.

Atlanta airtel 12/22/67 went to all recipient offices and contained a list of individuals assigned to each city.

DANIEL F. GARDE
Consultant
1225 EAST 28th STREET
BROOKLYN, NEW YORK 11210
(212) 377-2848

Handwritten initials and scribbles

Dep. A.D.-I
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Aff.
Files & Co.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director's Sec'y

Feb. 27, 1976

Mr. Clarence M. Kelley
Director, Federal Bureau of Investigation
U.S. Department of Justice
Washington, D.C. 20535

Dear Mr. Kelley:

Sen study

I am confident that within the scope of your current concern is the matter of public reaction to the proceeding in which members of a House sub-committee recommended on 2/25/76 contempt citations against several responsible present and/or former government employees for declining under instruction of highly placed superiors to produce documents or testify about a sensitive government intelligence program.

Accordingly, I have enclosed some remarks included in copies of a letter of this date to Representative Carl B. Albert and enclosure thereto, reflecting my view of what might be expected as the normal reaction of many American citizens to revelations concerning this highly charged and controversial situation.

Very truly yours,

Daniel F. Garde
Daniel F. Garde

Enclos. : 2

ENCLOSURE

no ask

Records file 67-116395

CC 67-116395

Thanks for your note of 2/25/76. You know we are behind you.

NOT RECORDED

46 APR 21 1976

PERS. REC. UNIT

EXP. PROC.

MAR 5 1976

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-1-00 BY SP-3 ALM/KTG

84 APR 23 1976

NW 55166 DocId:32209587 Page:181

Thanks for your note of 2/25/76. You know we are behind you.)

184-10064

184-10064

184-10064

184-10064

DANIEL F. GARDE
Consultant
1225 EAST 28th STREET
BROOKLYN, NEW YORK 11210
(212) 377-2848

Feb. 27, 1976

Hon. Representative Carl B. Albert
Speaker, U.S. House of Representatives
Speaker's Office
H-205 Capitol
Washington, D.C.

#m DR 16
DATE 11-1-00 SP2 ALM/f16

Dear Representative Albert:

I am enclosing for your consideration a compendium of reactions such as could logically be triggered in the minds of many of our citizenry across America upon being apprised through the news media of what transpired during the course of a House subcommittee proceeding on 2/25/76 in which recommendations were made that several witnesses be cited for contempt of Congress. The witnesses were all presumably honorable and civic minded public servants employed past or present in intelligence operations who, on orders from highly placed superiors stemming from expressed wishes of the President, declined to produce documents or to testify about a sensitive government intelligence program.

It is sincerely believed that the views expressed are not greatly unlike those likely to be found in many quarters were there to be a taking of the pulse of public opinion on the matter. Brevity has been sacrificed in order to bring out a sampling of a number of trends of thought that could flow from an examination of the facts reported in this case.

The views set forth in the attachment establish a basis for the appeal in the concluding paragraph, which is highlighted by being repeated herewith :

In the interests of justice and good government, it is hoped that those who are responsible for voting on the contempt citations recommended by the subcommittee referred to herein, including members of that subcommittee, will take sufficient time to so examine and analyze all pertinent facets of this situation as to assure final action that will have as its sole motivation probity, with heavy emphasis on objectivity, impartiality, fairness, and a considered perspective on the real intent of the Founding Fathers when they wrote our beloved Constitution.

Very truly yours,

Daniel F. Garde
Daniel F. Garde

Enclos. : 1

ENCLOSURE

62-116395-

Copies:

- Hon. Gerald Ford, President of U.S., White House, Washington, D.C.
Vice President Nelson A. Rockefeller, Ceremonial Office of the
Vice President, S-212 Capitol, Washington, D.C.
Attorney General Edward H. Levi, U.S. Department of Justice, WDC 20535
Hon. Senator James L. Buckley, 304 Russell Senate Office Building,
WDC 20515
Hon. Senator Frank Church, 245 Russell Senate Office Building
Hon. Senator Jacob K. Javits, 326 Russell Senate Office Building
Hon. Senator Edward M. Kennedy, 431 Russell Senate Office Building
Hon. Representative Bella S. Abzug, Rayburn House Office Building
Hon. Representative Jack Brooks, 2449 " " " "
Hon. Representative Toby Moffett, " " " "
Hon. Representative John E. Moss, " " " "
Hon. Representative Peter W. Rodino, 2462 " " "
Hon. Representative James H. Scheuer, 2438 " " "
Mr. Clarence M. Kelley, Director, FBI, Justice Bldg. WDC 20535
Mr. Henry Anderson, 7 Lexington Avenue, NY, NY 10010
Mr. Robert Burns, 317 Upper Boulevard, Ridgewood, N.J. 07450
Mr. William F. Buckley, Editor, National Review, 150 E. 35 St NYC 10016
Mr. Ralph H. Jones, 1979 E. Millbrook Road, Salt Lake City, Utah 84106
Mr. Gordon A. Phillips, P.O. Box 5456, 17 Woodhampton Drive, Trenton,
Mr. Arthur Ochs Sulzberger, Publisher, N.Y. Times, 229 W. 43rd. St. NYC
Mr. Hedley Donovan, Editor-in-Chief, Time, Rockefeller Center, NYC 100

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Feb. 27, 1976

#mDR16
11-2-00 SP-2 ALM/HB

REFLECTIONS ON REPORTED PROCEEDINGS OF A HOUSE SUBCOMMITTEE
LEADING TO RECOMMENDATIONS ON 2/25/76 OF CONTEMPT CITATIONS,
AND ENUMERATION OF SEVERAL LIKELY REACTIONS THAT COULD BE
STIRRED UP IN THE MINDS OF PERSONS COGNIZANT OF THE EPISODE.

A person presumed to be sincerely interested in fostering respect for law and order and for the wisdom embodied in our constitutional form of government, might be hard pressed, either through lucky inadvertance or deliberate design, to put together in a single paragraph, more words to defeat the above-outlined purpose than may be found in the following example:

" The Attorney General is without any authority. It is the most outrageous assumption, the most arrogant display by the Attorney General I have ever seen. Some damn two-bit appointee of the President is not the law-making body of this country."

If the account published on page 12 of the New York Times of 2/26/76 is an accurate reflection of what transpired during hearings held by the Government Information and Individual Rights Subcommittee of the House of Congress on 2/25/76, the above is but one of the remarks attributed to a member of that subcommittee, reportedly made in the course of attempts to extract information about the government's interception of telegraph and Telex messages, that give rise to natural questions about the dignity, propriety and justification for such a bumptious approach to such a serious subject matter.

To begin with, one might wonder to whom the author of the quoted paragraph, Representative John B. Moss, was really addressing his somewhat less than tactfully phrased object lesson on the apportionment of powers in our federal system of government.

One might find it difficult to believe that any of the witnesses reportedly confronted that day, F.B.I. Agents, a former F.B.I. Agent and an employee of the National Security Agency, even by the vaguest hint or most facetious remark, could have proffered the suggestion that the Attorney General (or any appointee of the President) constitutes "the law-making body of this country. " Witnesses such as these are not noted for flippancy when under questioning by duly constituted authority, and are not likely to be complete ignoramuses regarding the basic structure of our government. They can be assumed to have a better than grammar school level understanding of the system so wisely established by the Founding Fathers, with beautifully designed separation of powers between three branches, legislative, executive and judicial, and they can likewise be assumed to have a general awareness of the constitutional powers allotted to each of the branches.

62-111-395

REFLECTIONS ON EPISODE 2/25/76

The lesson, then, was likely lost on, if indeed intended for these witnesses, from whom the subcommittee was attempting to extract information against instructions issued by the Attorney General and/or the Deputy Secretary of Defense in the wake of the expressed wishes of the President.

One might logically, then, turn to wondering if perhaps the object lesson was not really directed at President Ford and Attorney General Edward H. Levi, lest either somehow be lacking in knowledgeability as to what does constitute "the law-making body of this country." After all, the legislator who brought up the lesson material reportedly did make the assertion: "The real contempt here has been committed by the Attorney General of the United States and the President of the United States."

Interestingly enough, after thus having had the finger placed on where the alleged blame truly lies, the subcommittee, with commendable promptness as a noteworthy virtue, recommended contempt citations for the witnesses who presumably were conveniently close at hand. Thus was the stage set for proposed martyrdom, should they fail to disobey their superiors, of the emissaries, the messengers bearing the offending messages, while the fingered true culprits, afar from Garcia in the relative seclusion of executive hierarchy, remain momentarily free except as targets of name calling.

"The witnesses were pressured as to whether they had a constitutional basis for refusing to produce the documents or answer the questions" states the news article.

Now, one might muse, this Constitution to which the subcommittee alludes, is a little bit vague about some things, very clear about others.

For one thing, it clearly does not designate the Attorney General as the law-making body. The Congressman's basic contention on that score is incontestably correct!

Now, the same Constitution that says: "All legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and a House of Representatives", also states, while speaking of the President: "-- he shall take care that the laws be faithfully executed and shall Commission all the Officers of the United States."

Characteristically, this Constitution, which does not spell out everything in fine detail, did not describe by title the various officers to be appointed by the President. Yet it would be less than prudent to contend that the authors did not intend the President to appoint an officer to assist him in fulfilling his stipulated responsibility to take care that the laws be faithfully executed.

REFLECTIONS ON EPISODE 2/25/76

Since the holder of the title Attorney General, whose office was created September 23, 1789, has, from earliest times in our Constitutionally-based government, been generally recognized as the highest designated legal executive officer in the land, it would seem to be now a little late to contest in unceremonious circumstances, the validity of this well-established custom having its beginnings in our country's original cabinet membership.

The spectacle of a member of our country's law-making body loudly declaring that "The Attorney General is without power" might, in itself, be sufficient basis for the generation of curiosity as to the degree of consistency maintained by the author of this rather startling new doctrine, when engaged in referring to power as it applies to a cabinet officer, and when engaged in referring to power as it applies (even by inference) to the office held by himself.

In fairness, some might be heard calling, we must assume that it was an inadvertent mistake -- no, rather, a deliberate exaggeration for the sake of emphasis!

But alas! That is not the end of it! There are others who might be responding along lines such as those that follow:

To refer to the Attorney General disdainfully as "some damn two-bit appointee of the President", a characterization made even more dramatic when coming from a Federal law-maker, might rightfully be considered as an indulgence in rhetoric hardly appropriate to the occasion, much less suitable at any time, and as certainly hardly destined to inspire respect for duly constituted authority or confidence in those holding high office in the Federal Government. At a time when lawlessness and disrespect for authority ravage our land, flippant aspersions by one public official about the authority of another are not likely to be helpful.

In publicly charging the Attorney General with arrogance, a law-maker raises the question as to the applicability of the very same term to his own conduct in so doing.

This Attorney General was clearly acting on the expressed wishes of the President (assuming the New York Times account correct). President Ford had already made it known in an earlier expression of his views, that he believes the public interest requires the records sought not be disclosed to the committee.

This particular President, unlike many elected Presidents who preceded him, happens to be in office because of the esteem in which he was held by fellow members of Congress who put him there. Because of his heavy, and only recently concluded background in the legislative branch of the government, here is a President who is one least likely to be unmindful of or callous about the rightful concerns of Congress, even as he goes about the exercise of his new-found duties in another branch of our same government.

That the President's opinion on this highly important matter should be afforded courteous consideration seems self evident. Were such needed, lending additional support than normal for the sanity and propriety of placing reasonable confidence in this particular President

REFLECTIONS ON EPISODE 2/25/76

at this particular time, is the circumstance that as one running for office, he is unlikely to be desirous of creating a viable campaign issue arising out of charges of excessive use of executive privilege.

That all of our nation's defense secrets should, one by one, be laid bare to inquiring congressmen without grave reason can hardly find justification in any wording to be found in the Constitution.

There are few who would seriously contend that throughout congressional investigations conducted during the past year related to the nation's intelligence community, outstanding skill and wisdom have unerringly been exercised in the handling, protection of, and safekeeping of all the vital defense information that came under the purview of the investigators. At this very moment, Congress is engaged in efforts to uncover as yet unknown particulars concerning leaks and improper disclosures of information that have resulted in damage to the nation's defense posture.

That some matters are of such a nature that they should rightfully be regarded as, and properly handled as secret, is specifically instructed in the Constitution in the phrase: "Each House shall keep a Journal of the Proceedings and from time to time publish the same, excepting such parts as may in their Judgement require secrecy."

Having thus established the propriety of secrecy being afforded certain appropriate matters coming within the cognizance of one branch of the government, the Founding Fathers, though not spelling it out in the Constitution, can be assumed to have expected that good judgement would likewise be exercised by officials in the other branches of the government in the prudent safeguarding of secret information coming within their purview.

The word "secrecy" has come on hard times. In the hands of some it has become a nasty word.

Perhaps it is not insignificant to note here, in passing, that the connotations of "duplicity", "deceit", or "coverup", given all too frequently these days to the word "secrecy" (particularly as applied to sensitive government operations), as if such should somehow be accepted as the basic part of the definition of the word, were not distinctions that seemed of great concern to the authors of the Constitution. It does not follow that they were accordingly naive men, unaware of the frailties and connivings to be expected of some members of society, or that, because techniques have become so much more sophisticated, their understanding of the word is no longer valid.

To recognize the unpleasant fact that there exists always the possibility of a few miscreants lurking in government who would hide behind the protective cover of the stamp of secrecy to cover their mistakes, is hardly sufficient reason to obliterate secrecy, where such is necessary to our survival in a world in which we are surrounded by forces of hostility and by those who would not be unhappy over our downfall.

Unceasing efforts can and should be made to uncover and unseat the miscreants, through prudent means, leaving the nation's secrets intact in the process. The old definition of the word secret needs no alteration.

Surely the thinking American public expects a strong and effective intelligence gathering capability. Surely that same public recognizes the necessity for lucid and reasonable legislative guidelines to help assure that capability.

Now, one might be inclined to inquire, just what is the real purpose, shorn of all trappings, behind this Subcommittee's tenacious desire to obtain full information about the government's Telex and teletype interception project?

Could it be the uncovering of miscreants? This would be one of the functions of the legislative oversight process. But surely, in view of the President's stand, there must be something beyond this to warrant the making of a public issue such as we see here.

On the other hand; one can assume that Congress has quite enough on its hands as an oversight organization, not to be seriously considering moving permanently into the field of physically operating the intelligence community, assuming its day to day functions of collecting, assimilating, digesting, analyzing, and appropriately disseminating intelligence data.

No, there certainly must be some other basis for insistence on the acquisition of the information and documents sought, and the resultant responsibility that automatically flows with them for assuring their proper storage and safekeeping.

Of one thing we may be certain! Our Constitution says nothing about the right of the public to know everything.

Unfortunately for the security of the nation, there has been considerable undue acquiescence about dreadful recently popularized distortions of the real meaning of some of the freedoms guaranteed in the Constitution. Not the least of these distortions, perhaps, are popular misconcepts about the intent of the so-called "freedom of speech" and "freedom of the press" clause, that have been foisted on a submissive public. An unwholesome aura of sanctity that has been placed on perverted definitions of these freedoms has provided cover for disclosure of state secrets and vital intelligence data that never should have been made known to "the public". Realistically "the public" means not only the enlightened citizenry of this country (as some would like us to believe), but in addition every unenlightened eccentric, every ideological extremist, every scheming potential enemy, in every nut house, every subversive clubhouse, every espionage center on five continents and on the islands and waters set between.

There is a sensation value, of but a temporary nature, inherent in the disclosure of intelligence operations data. Surely the political or other gain achievable through taking advantage of that value cannot be considered a legitimate goal in the absence of an objective weighing of the goal against the potential loss of intelligence capacity.

Whatever the goals of the Subcommittee in this episode, we must have confidence that they are not for political advantage or partisan self interest.

Unfortunately, Congress seems to be operating in this area under somewhat the same difficulties as the intelligence community it is investigating, without clearly defined guidelines as to its functions, powers, responsibilities, and commitments to the protection of vital defense information.

No one is, nor is expected to be expert in all matters. Election from one's home district to the office of congressman, in itself, by no means qualifies one as an instant expert on matters of national defense and international intrigue.

The President, as the nation's officer-in-charge of the nation's intelligence-gathering community, on the other hand, does have instant access to whatever vital experience resides within, or whatever significant information is developed by that community. At his fingertips are the best qualified experts in the nation on intelligence matters. His knowledgeability about the sensitivity of an ongoing intelligence operation, by the very nature of things, can be presumed to be of a higher degree than that of the average congressman. Axiomatically, his duty to assure protection to areas where secrecy is vital, is greater in magnitude and awesomeness than that of other office holders.

The Attorney General has been called arrogant. Was his arrogance to be found in his compliance with the expressed wishes of his superior, the highest executive officer in the land? If it were for some completely different behavior that the Attorney General was thus categorized, would it not be well to have this made known on the public record, along with other details that have been made known through the press?

Are the President and the Attorney General really guilty of contempt, as claimed, or is this but a loose figure of speech?

It was not by any loose figure of speech that recommendations were handed up that witnesses before the Subcommittee be cited for contempt.

It seems reasonable to envisage a viewing by the general public of the punitive action recommended by this subcommittee, as reaction to a miff. A possible miff over lack of success through immediate victory in what could be looked upon as being, in essence, a vaguely-defined and as yet dimutive battle of wills between a legislative subcommittee and the President of the United States. A battle during the course of which those recommended for contempt citations are but pawns in an inter-branch power struggle who happened to get in the way of the blast.

As to the criminality of their behavior, how many objective observers of news accounts thus far available, are likely, on that information alone, to believe these witnesses to be criminally motivated or of contemptuous disposition toward lawful authority, simply because, in this controversial situation, they have seen fit to obey superiors who happen to be top-level government officers?

There has been no issue raised here as to the civic-mindedness, dedication to public service, patriotism, or loyalty to their oaths of office on the part of any of these men.

Hopefully for the safety of our citizenry, the hard-earned image of the average FBI Agent as a trustworthy and dedicated public servant, has not been as greatly harmed by the massive volume of one-sided adverse criticism leveled at the FBI as their detractors, with all of their distortions, exaggerations, and irresponsible behavior, would have wished.

It is not inconceivable that the net result of a decision by Congress to approve contempt citations against these witnesses, might be not so much in any damage done to these few individuals, as in the possible cheapening of the value of the process, through undesirable dilution in the minds of a discerning public of the gravity of the offense of being held in contempt of Congress.

No proper judgement can be made of the rightness or wrongness of the actions of any persons involved in a situation such as the one here discussed, solely on the basis of newspaper accounts, and none is intended here. What is intended, however, is to point up opinions such as are likely to be stirred up in the minds of those who read such accounts.

* * * * *

Having thus put to paper some reflections upon, and some of a number of likley public reactions to the episode, may I make this pl

In the interests of justice and good government, it is hoped that those who are responsible for voting on the contempt citations recommended by the subcommittee referred to herein, including members of that subcommittee, will take sufficient time to so examine and analyze all pertinent facets of this situation as to assure final action that will have as its sole motivation probity, with heavy emphasis on objectivity, impartiality, fairness, and a considered perspective on the real intent of the Founding Fathers when they wrote our beloved Constitution.

Daniel F. Garde 2/27/76

- 1 - Mr. Mintz - Encs. (3)
- 1 - Mr. Leavitt - Encs. (3)
- 1 - Mr. McDermott - Encs. (3)
- March 4, 1976
- 1 - Mr. Phillips - Encs. (3)
- 1 - Mr. Daly - Encs. (3)

for
The Attorney General

Director, FBI

REC-115

62-116395-1476X1
U. S. SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

Enclosed for your approval and forwarding to the Committee is a letterhead memorandum outlining the FBI's recommendation for the reinstatement of the Bureau's normal file destruction program. A copy of this letterhead memorandum is enclosed for your records. This letterhead memorandum is in response to Chairman Frank Church's request that the FBI obtain the concurrence of you in the reinstatement of this program. The request of Chairman Church was contained in his letter to me dated February 20, 1976. A copy of this letter is enclosed as well as a copy of my letter to Chairman Church dated January 12, 1976.

All of the FBI's file destruction programs are approved by the National Archives and Records Service as well as furnished to the Assistant Attorney General for Administration. The problems presented by the continuing retention of the materials are such that I ask that this matter be handled as expeditiously as possible.

Enclosures (4)

for
ENCLOSURE

- 1 - The Deputy Attorney General - Enclosures (3)
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE: Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, requested that this particular matter be handled through a memorandum to the Attorney General enclosing a letterhead memorandum. Shaheen stated he would expeditiously obtain the views of the Attorney General and in accordance with those views furnish a recommendation to the Committee.

TO BE HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS.

PVD:lad
(10)

MAIL ROOM TELETYPE UNIT

#MOR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-1-00 BY SP2ALM/STG

Delivered to Dept 3016-14
Delivered to Committee 3-16-76

TJ
mm
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- 1 - Mr. Mintz - Encs. (3)
- 1 - Mr. Leavitt - Encs. (3)
- 1 - Mr. McDermott - Encs. (3)
- 1 - Mr. Phillips - Encs. (3)
- 1 - Mr. Daly - Encs. (3)

The Attorney General

March 4, 1976

Director, FBI

62-116395-3

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REC-115

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- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____

PVD:lad (10)

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[Handwritten signatures and initials]

ORIG. IN SC...

Delivered to Dept. 3-5-76
 Delivered to Committee 3-16-76

- 1 - Mr. Mintz
- 1 - Mr. Leavitt
- 1 - Mr. McDermott
- 1 - Mr. Phillips
- 1 - Mr. Daly

March 4, 1976

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES

#MDR 16
ALL INFORMATION CONTAINED
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DATE 11-1-00 BY SP2 ALN/ab

Reference is made to the letter of Chairman Frank Church to Honorable Clarence M. Kelley, Director, Federal Bureau of Investigation, dated February 20, 1976, which requested the Attorney General's concurrence in the FBI's reinstatement of the destruction of certain FBI documents and files.

By letter to the Director of the FBI dated January 27, 1975, from Senate Majority Leader Mike Mansfield and Minority Leader Hugh Scott, the FBI was advised of the U. S. Senate's intended investigation and study of intelligence activities by the FBI and other Government agencies. The scope of this investigation and study was described in Senate Resolution 21 of the 94th Congress.

The aforementioned letter specifically requested the FBI not destroy or otherwise dispose of any records or documents which might have a bearing on the subjects under investigation or relating to the matters specified in Section 2 of Senate Resolution 21. That Section of the Resolution described the Senate's extensive interest in the domestic intelligence as well as foreign counterintelligence, activities of Executive Branch agencies, including the FBI.

In accommodation of that request, Director Kelley immediately issued instructions to all offices and divisions of the FBI establishing a moratorium on the destruction of all records of whatever description. In retrospect, the FBI now feels that the moratorium need not have been as all-encompassing as that, but this was done to assure that there could be no question of its intention to comply fully with the request with regard to the preservation of relevant records in which the Senate might develop an interest.

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- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

PVD:lad *lad*
(10)

62-1163-1163 *1476X1*

MAIL ROOM TELETYPE UNIT ENCLOSURE

U. S. SENATE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES

It is now more than one year since the inception of the moratorium on the FBI's regular records destruction program. For your information, the FBI's regular destruction program, as approved by the National Archives and Records Service and the Department of Justice, is designed to prevent retention of masses of records well beyond the period during which they may serve a useful purpose. Further, our records destruction program, as approved by the National Archivist, permits the destruction of those records which are deemed to no longer possess evidentiary, intelligence, or historical value. The moratorium, which was not expected to last as long as it has, has created substantial administrative burdens not only at FBI Headquarters but throughout the 59 field offices. The suspension of sound records management and file destruction practices in many areas is causing very substantial space and storage problems.

The FBI now proposes that that portion of its records destruction programs which do not pertain to or concern classifications of files which would fall within the general description of "security files" be reinstated. Those files which would not be affected by the reinstatement of the file destruction program would include all files on domestic intelligence matters, extremist matters, racial matters as well as foreign counterintelligence matters. The files which the FBI proposes to resume routine destruction of in accordance with its established records retention plan include the following: files relating to criminal investigations, suitability or applicant-type investigations, correspondence files, and files of an administrative nature generally.

1 - The Attorney General

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

- 1 - Mr. Mintz
- 1 - Mr. Leavitt
- 1 - Mr. McDermott
- 1 - Mr. Phillips
- 1 - Mr. Daly

March 4, 1976

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES

#MOR 16

11-100 SP2 ALM 1976

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- Telephone Rm. _____
- Director Sec'y _____

PVD:lad (10)

COPY
ORIG. IN SCF

Handwritten signatures and initials: jmk, jk, etc.

62-1163-1476X1

MAIL ROOM TELETYPE UNIT ~~SECURITY~~

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1 - The Attorney General

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

COPY
CRIG. IN SCPU

FRANK CHURCH, IDAHO, CHAIRMAN
 JOHN G. TOWER, TEXAS, VICE CHAIRMAN
 PHILIP A. KURT, MICH.
 WALTER F. MONDALE, MINN.
 WALTER D. HUDDLESTON, KY.
 ROBERT MORGAN, N.C.
 GARY HART, COLO.
 HOWARD H. BAKER, JR., TENN.
 BARRY GOLDWATER, ARIZ.
 CHARLES MC C. MATHIAS, JR., MD.
 RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
 FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
 CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
 STUDY GOVERNMENTAL OPERATIONS WITH
 RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

February 20, 1976

Honorable Clarence M. Kelley
 Director
 Federal Bureau of Investigation
 Washington, D. C. 20535

Dear Director Kelley:

I have considered your letter of January 12, 1976, regarding the request of the Majority Leader and the Minority Leader on January 27, 1975, that the FBI not destroy any records which might have a bearing on matters specified in Senate Resolution 21.

The Select Committee deeply appreciates your instructions issued immediately after the request establishing a moratorium on destruction of all FBI files of whatever description. We understand that this moratorium has been costly and has produced substantial administrative burdens.

Therefore, the Select Committee would raise no objection to the resumption of destruction of certain records which would have no relationship whatsoever to the matters specified in S. Res. 21. We are concerned, however, that resumption of routine destruction in accordance with your established Records Retention Plan may result in destroying materials which might be of use in connection with the work of a future Senate committee engaged in oversight of the FBI.

Consequently, we suggest that you confer with the Attorney General so as to ensure that he is satisfied that reinstatement of destruction under the Records Retention Plan is consistent with his policies regarding the

REC-115 62-116395-1476X1

5 FEB 23 1976

LEGAL [Signature]

#m DR16
 11-100 SP-2 ALM P196

NO FEB 23 1976

ack let to AG
 Jan 3-4-76
 with copy to [unclear]
 attached [unclear]

Honorable Clarence M. Kelley
Page Two

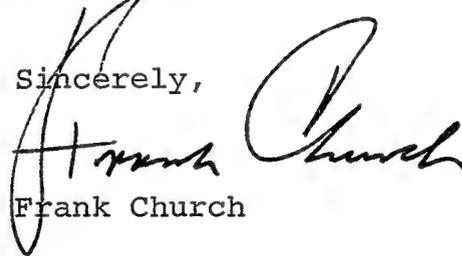
February 20, 1976

availability of materials for future Congressional oversight, as well as for effective supervision of the FBI by the Attorney General.

I will be happy to recommend to the Majority Leader and Minority Leader that they endorse resumption of records destruction, upon receipt of notification that the Attorney General has approved such destruction after considering the concerns stated above.

Thank you again for your continued cooperation with the Select Committee.

Sincerely,

A handwritten signature in cursive script that reads "Frank Church". The signature is written in dark ink and is positioned to the right of the typed name.

Frank Church

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

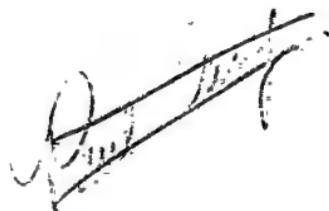
WASHINGTON, D.C. 20510

OFFICIAL BUSINESS



U. S. S.

Honorable Clarence M. Kelley
Director
Federal Bureau of Investigation
Washington, D. C. 20535



11-1-00
S.P. 2 ALM/HB
#MOR/b

FRANK CHURCH, IDAHO, CHAIRMAN
 JOHN G. TOWER, TEXAS, VICE CHAIRMAN
 PHILIP A. HART, MICH.
 WALTER F. MONDALE, MINN.
 WALTER D. HUDDLESTON, KY.
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 CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
 STUDY GOVERNMENTAL OPERATIONS WITH
 RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)
 WASHINGTON, D.C. 20510

February 20, 1976

Gen. Inv. _____
 Dep. Dir. _____
 Asst. Dir. _____
 Adm. Serv. _____
 Comp. Syst. _____
 Ident. _____
 Intell. _____
 Lab. _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director's Sec'y _____

Honorable Clarence M. Kelley
 Director
 Federal Bureau of Investigation
 Washington, D. C. 20535

#mDR16
 11-1-00 SP2 AM/AG

Senstudy

Dear Director Kelley:

I have considered your letter of January 12, 1976, regarding the request of the Majority Leader and the Minority Leader on January 27, 1975, that the FBI not destroy any records which might have a bearing on matters specified in Senate Resolution 21.

The Select Committee deeply appreciates your instructions issued immediately after the request establishing a moratorium on destruction of all FBI files of whatever description. We understand that this moratorium has been costly and has produced substantial administrative burdens.

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Consequently, we suggest that you confer with the Attorney General so as to ensure that he is satisfied that reinstatement of destruction under the Records Retention Plan is consistent with his policies regarding the

REC-115 62-116395-1476X1

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 FEB 23 1976
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5 FEB 23 1976

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COPY
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LEGAL *[Signature]*

ack let to AG
 dated 3-4-76
 with LHM to SSC
 attached
 PUD:AD

Honorable Clarence M. Kelley
Page Two

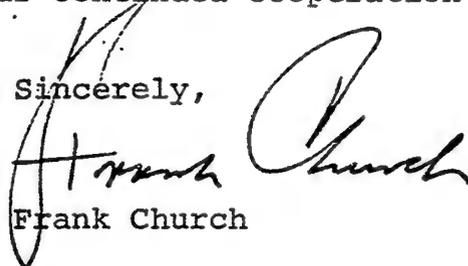
February 20, 1976

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Thank you again for your continued cooperation with the Select Committee.

Sincerely,

A handwritten signature in cursive script that reads "Frank Church". The signature is written in dark ink and is positioned to the right of the typed name.

Frank Church

COPY
ORIG. IN SCRU

January 12, 1976

Honorable Frank Church
Chairman
Select Committee to Study Governmental Operations
With Respect to Intelligence Activities
United States Senate
Washington, D.C. 20510

MDR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2 AZM/126

Dear Mr. Chairman:

You will recall that by letter to me of January 27, 1975, from Senate Majority Leader Mike Mansfield and Minority Leader Hugh Scott, we were advised of the Senate's plan to conduct an investigation and study of intelligence activities by Government agencies. The scope of the study was outlined in Senate Resolution 21 of the 94th Congress. The letter specifically requested that we not destroy or otherwise dispose of any records or documents which might have a bearing on the subjects under investigation or relating to the matters specified in Section 3 of Senate Resolution 21. That Section of the Resolution described the Senate's extensive interest in the domestic intelligence, as well as foreign counterintelligence, activities of Executive branch agencies, including the FBI.

In accommodation of that request of the leadership of the United States Senate, I immediately issued instructions to all offices and divisions of this Bureau establishing a moratorium on the destruction of all records of whatever description. In retrospect, I now wish that the moratorium had been not have been an all-encompassing one, but this was done to assure that there could be no question of my intention for the FBI to comply fully with the request with regard to the preservation of relevant records in which the Senate might develop an interest.

Honorable Frank Church

It is now almost one year since the inception of the moratorium on our regular records destruction program. For your information, our regular destruction program, as approved by the National Archives and Records Service, is designed to prevent retention of masses of records well beyond the period during which they may serve a useful purpose. Further, our records destruction program, as approved by the National Archivist, permits the destruction of those records which are deemed to no longer possess evidentiary, intelligence, or historical value. The moratorium, which was not expected to last as long as it has, has created substantial administrative burdens not only at FBI Headquarters but throughout our 53 field offices. The suspension of sound records management and file destruction practices in many areas is causing very substantial space and storage problems.

I, therefore, now propose, with your concurrence, to resume that portion of our records destruction program which, in reality, could not have been contemplated by the Senate leadership's request in the first instance. We would continue the destruction moratorium on all classifications of files which would fall within the general description of 'security files.' These would encompass all files on domestic intelligence matters, extremist matters, racial matters, as well as foreign counter-intelligence subject matters. We would, with regard to such 'security matters,' destroy duplicative material only.

The matters that we propose to resume routine destruction of, in accordance with our previously established Records Retention Plan, are the following: files relating to criminal investigations, suitability or applicant-type investigations, correspondence files, and files of an administrative nature generally. Should you or any members of your Committee express an interest for our continued retention of any record material other than as specified herein, you may be assured that such a request would receive every consideration.

Honorable Frank Church

I do hope that you are able to express concurrence in the proposals herein since the file destruction moratorium has produced substantial administrative burdens for us. Please also accept my assurance of our continued full cooperation with you and your Committee.

Sincerely yours,

Clarence M. Kelley
Director

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: Senate Select Committee

LTR LHM Memo Report dated 3/4/76

Caption of Document: Re let frm Chairman Church dated
2/20/76 which requested Ag's
concurrence in FBI's reinstatement of file
destruction program.

FBI

Originating Office: _____

Delivered by: Danny O. Cault Date: 3/16/76

Received by: Michael Murphy

Title: Club

Return this receipt to the Intelligence Division, FBI

#MDR16
11-1-00 SP2 ALM HRS

TO: Intelligence Community Staff
 ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

2. DATE PROVIDED
3/4/76

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

SSC

HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

NA

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

Information handling
Operating procedures

8. SUMMARY (see reverse side before completing this item)

Information as to the FBI's policy of destruction of materials since the inception of SSC and suggestion that prior policy in this area be reinstated.

mae 16
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/1/00 BY SP2 ALM/178

62-116395

TREAT AS YELLOW

S. mg

AJD:1hb
 (4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
 IN CONNECTION WITH SENSTUDY 75.

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

UNITED STATES GOVERNMENT

Memorandum

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection
- Intell.
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

TO : Mr. Jenkins

DATE: 2/18/76

FROM : D. W. Moore, Jr.

C. Study

SUBJECT: RESPONSE TO CRITICISM OF FBI
CONCERNING ACTIONS TAKEN AGAINST
MARTIN LUTHER KING

On February 13, 1976, a conference was held in Kansas City attended by the Director, 8 SACs and 2 representatives from the External Affairs Division. The purpose of the conference was to review ideas and procedures used by the field in promoting the best interests of the Bureau through local media.

It was the general feeling of the SACs that one of the most difficult problems in responding to criticism of the Bureau relates to the reported abuses regarding the FBI's activities against Dr. Martin Luther King. The SACs felt that if an appropriate answer could be prepared by FBIHQ they would be in a better position to counter such criticism. While it was explained that the testimony of Deputy Associate Director James Adams was the best material available to respond to the Martin Luther King criticism, the SACs felt that the Bureau should have a more succinct and definitive answer.

The Director concurred with the observations of the SACs and instructed that an appropriate response be provided to the field which could be used to counter criticisms of the Bureau's harassment of Martin Luther King.

RECOMMENDATION

That this matter be referred to the Intelligence Division for appropriate response.

62-116375-

NOT RECORDED

MAR 23 1976

- 1 - Mr. Adams
- 1 - Mr. Moore
- 1 - Mr. Wannall
- 1 - Mr. Campbell
- 1 - Mr. Malmfeldt

HAB:asg
(6)

WPG

Handwritten notes and signatures:
5 MAR 19 1976
5-P
cc 62-116375
Beards
JTA:adm

*Memo (w/enc)
J to Deegan & TW least
3/9/76 JTA:adm*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/00 BY SP-ARUN/ERS

ORIGINAL FILED IN 100-106670-4101



MAR 31 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

- 2 - Mr. J. A. Mintz
(1 - J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
February 17, 1976
- 1 - Mr. P. E. Nugent

The Attorney General

Director, FBI

U. S. SENATE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (SSC)

#mde16
11-1-00 SP2 ALM 1276

Reference is made to this Bureau's letter and memorandum dated January 27, 1976, in partial response to SSC request for access to materials concerning Martin Luther King, Jr., the Poor People's Campaign and the Sanitation Workers Strike in Memphis, Tennessee, for the period January 1 - April 4, 1968.

Enclosed for your approval and forwarding to the SSC is an original of a memorandum in completion of this Bureau's response for access to the aforementioned materials. A copy of this memorandum is being furnished for your records along with a set of the materials which are to be reviewed by the SSC.

Enclosures (2)

62-116395

- 1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

REC-115

62-116395-1476X

14 MAR 23 1976

PEN:adm
(9)

NOTE:

Exact copies of materials to which access is being given are maintained in the office of the Senstudy 75 Project. Included among items being made available for review by the SSC is an unclassified memorandum of the 116th Military Intelligence Group, Washington, D. C., captioned "Planning for King's April Civil Disobedience." On 1/14/76 Colonel John L. Heiss, Security Division, Office of Assistant Chief of Staff for Intelligence, United States Army, gave clearance to SA Louis A. Crescioli to furnish the SSC with that memorandum.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

materials with
3/5/76 LHM
Serial 1480

SECRET MATERIAL ATTACHED

WOC
7/2/76
Pen
gjm

MAIL ROOM TELETYPE UNIT

RECEIVED
ASSISTANT DIRECTOR
INTELLIGENCE DIV.

FEB 12 4 24 PM 1976

RECEIVED
OFFICE OF
LEGISLATIVE
AFFAIRS

RECEIVED DIRECTOR 10 35 AM 1976

RECEIVED

FEB 17 9 39 AM '76 FEB 18 11 37 AM 1976

ASSOCIATE DIRECTOR

RECEIVED
FEB 13 1 13 PM 1976
LEGAL COUNSEL

FEB 18 9 02 AM '76
REC'D
CORRESPONDENCE REVIEW
F B I

62-116395

- 2 - Mr. J. A. Mintz
(1-J. B. Hotis)
 - 1 - Mr. W. R. Wannall
 - 1 - Mr. W. O. Cregar
 - 1 - Mr. P. E. Nugent
- February 17, 1976

**U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

Reference is made to this Bureau's memorandum dated January 27, 1976, in response to SSC request dated December 18, 1975, Item 6, as modified.

Materials made available for review by the SSC with referenced memorandum represented a partial proffer of the material involved in response to SSC request for materials concerning Martin Luther King, Jr., the Poor People's Campaign and the Sanitation Workers Strike in Memphis, Tennessee, for the period January 1 - April 4, 1968.

This is to advise that the remainder of the material desired is now available for review by the SSC Staff at FBI Headquarters.

1 - The Attorney General

PEN:adn
(8)

#m0216
11-1-00 SP2 ALM 1/17/76

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
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- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

ORIGINAL AND ONE TO AG

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

SECRET MATERIAL ATTACHED

MAIL ROOM TELETYPE UNIT

1476K

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE
 LTR LHM Memo Report dated 2-16-76

Caption of Document: U.S. SENATE SELECT COMMITTEE

12-18-75 Request, Item 6 (partial proffer)

Originating Office: FBI

Delivered by: Paul V. Daly Date: 2/19/76

Received by: _____

Title: _____

Return this receipt to the Intelligence Division, FBI

RECEIVED
FEB 22 1976
11-1-00 SP-2 ALM/JAG

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED
2/17/76

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

For Review

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC request 12/18/75, Item 6, as modified

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

**Operating procedures
Information handling**

mdr16
11/1/00 *SP2ALM/ITE*

8. SUMMARY (see reverse side before completing this item)

Access to information concerning Martin Luther King, Jr., the Poor People's Campaign and the Sanitation Workers Strike in Memphis, Tennessee, for the period January 1 through April 4, 1968.

62-116395

TREAT AS YELLOW

AJD:1hb
(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75.

5-afj

INSTRUCTIONS

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